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JOURNAL

OF THE

PROCEEDINGS OF THE HOUSE.

OF THE

LEGISLATIVE ASSEMBLY OF OREGON,

FOR THE

SESSION OF 1862.

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JOURNAL OF THE HOUSE.

MONDAY, SEPTEMBER 8, 1862.

The second regular session of the House of Representatives of the Legislative Assembly of the State of Oregon, convened at Salem this day, at eleven o'clock A. M., and was called to order by T. McF. Patton, Chief Clerk of the last session, who acted as Speaker *pro tem*.

Mr. Humason moved that a Committee of Five be appointed upon credentials, which was adopted.

The Speaker announced as said committee, Messrs. Humason, Moores, Gillette, Applegate and Dufur.

On motion, the House adjourned till two o'clock P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Humason, from Committee on Credentials, presented the following report:

MR. SPEAKER: The Committee on Credentials beg leave to report the following named gentlemen as entitled to seats in the House of Representatives, viz:

Jackson County.—L. Applegate, I. D. Haines, S. D. Van Dyke.

Josephine County.—J. D. Fay.

Douglas County.—R. Mallory, James Watson.

Umpqua County.—W. H. Wilson.

Coos and Curry Counties.—Archibald Stevenson.

Lane County.—V. S. M. McClure, A. A. Hemenway, M. Wilkins.

Benton County.—A. M. Witham, C. P. Blair.

Linn County.—H. M. Brown, John Smith, Wm. McCoy, A. A. McCully.

Marion County.—I. R. Moores, Joseph Engle, C. A. Reed, John Minto.

Polk County.—B. Simpson, G. W. Richardson.

Yamhill County.—Joel Palmer, John Cummings.

Washington County.—R. Wilcox.

Washington and Columbia Counties (jointly).—E. W. Conyers.

Clackamas County.—F. A. Collard, M. Ramsby, J. T. Kearns.

Multnomah County.—A. J. Dufur, P. Wasserman.

Clatsop and Tillamook Counties.—P. W. Gillette.

Wasco County.—O. Humason.

O. HUMASON, *Chairman.*

On motion, the report of the committee was adopted.

On motion of Mr. Humason, the Secretary of State was invited to administer the oath to the members; whereupon, C. N. Terry, Assistant Secretary of State, appeared and administered the oath of office.

Mr. Humason presented the following resolution, which was adopted:

H. R. No. 1: *Resolved*, That the House now proceed to the election of permanent officers, in the following order: First, Speaker; second, Chief Clerk; third, Assistant Clerk; fourth, Enrolling Clerk; fifth, Sergeant-at-Arms; sixth, Doorkeeper.

Mr. Gillette nominated Joel Palmer, Mr. Humason nominated I. R. Moores, Mr. Applegate nominated Rufus Mallory.

The roll being called, the following gentlemen voted for Mr. Palmer, viz:

Messrs. Blair, Collard, Cummins, Dufur, Gillette, Hemenway, Kearns, Mallory, McClure, Moores, McCully, Me-

Coy, Ramsby, Richardson, Reed, Wasserman, Wilkins, Witham—18.

The following members voted for Mr. Moores, viz: Messrs. Engle, Humason, Minto, Palmer, Simpson, Van Dyke—6.

The following members voted for Mr. Mallory, viz: Messrs. Applegate, Brown, Haines, Stevenson, Wilson, Watson—6.

The following gentlemen voted blank: Messrs. Fay and Smith—2.

Mr. Palmer having received a majority of all the votes cast, was declared duly elected Speaker of the House.

The Chair appointed Messrs. Moores and Mallory to conduct the Speaker elect to his seat.

Mr. McCully put in nomination for Chief Clerk, S. T. Church.

The following members voted for Mr. Church, viz: Messrs. Applegate, Blair, Brown, Cummins, Dufur, Engle, Humason, Haines, Hemenway, Kearns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—28.

The following members voted blank: Messrs. Collard, Fay, Gillette, Ramsby—4.

Whereupon Mr. Church having received a majority of all the votes cast, was declared duly elected Chief Clerk.

For Assistant Clerk, Mr. Moores nominated Mr. Fisher; Mr. McClure nominated Mr. Cummins.

The following members voted for Mr. Cummins, viz: Messrs. Applegate, Blair, Brown, Cummins, Dufur, Gillette, Haines, Hemenway, Mallory, McClure, McCoy, Richardson, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—21.

The following members voted for Mr. Fisher, viz: Messrs. Collard, Engle, Humason, Kearns, Minto, Moores, McCully, Ramsby, Reed, Simpson—10.

The following member voted blank: Mr. Fay—1.

Whereupon Mr. Cummins having received a majority of all the votes cast, was declared duly elected Assistant Clerk.

For Enrolling Clerk, Mr. Simpson nominated Paul Crandall.

The following members voted for Mr. Crandall: Messrs.

Applegate, Blair, Cummins, Dufur, Engle, Gillette, Humason, Haines, Kearns, Mallory, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—27.

The following members voted blank: Messrs. Brown, Collard, Fay, Hemenway, McClure—5.

Whereupon Mr. Crandall having received a majority of all the votes cast, was declared duly elected Enrolling Clerk.

For Sergeant-at-Arms, Mr. Gillette nominated H. B. Parker, Mr. Reed nominated Daniel Strang, Mr. Smith nominated Wm. Smith.

The following members voted for Mr. Parker, viz: Messrs. Applegate, Collard, Cummins, Dufur, Fay, Gillette, Humason, Haines, Kearns, Mallory, McClure, Ramsby, Stevenson, Wasserman, Wilson, Wilcox, Mr. Speaker—16.

The following members voted for Mr. Strang, viz: Messrs. Engle, Minto, Moores, Reed, Simpson, Van Dyke—6.

The following members voted for Mr. Smith: Messrs. Blair, Brown, McCully, McCoy, Wilkins, Witham, Watson—7.

Whereupon Mr. Parker having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

For Doorkeeper, Mr. Engle nominated Joseph Myers.

The following members voted for Mr. Myers: Messrs. Applegate, Blair, Brown, Collard, Dufur, Engle, Gillette, Humason, Haines, Kearns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—29.

The following members voted blank: Messrs. Cummins, Fay, Hemenway, Ramsby—4.

Whereupon Mr. Myers having received a majority of all the votes cast, was declared duly elected Doorkeeper.

On motion of Mr. Simpson, the Secretary of State was invited to administer the oath to the officers elect.

Whereupon the Assistant Secretary appeared and administered the oath.

The members then came forward and subscribed to the oath of office.

On motion of Mr. Humason, the Clerk was directed to transmit a message to the Senate, informing them that the House was organized and ready to proceed to business.

Mr. Humason offered the following resolution :

H. R. No. 2: *Resolved*, That the rules for the government of the House, at the last session, be adopted as the rules of this House.

On motion, the resolution was adopted.

RULES OF THE HOUSE.

RULE 1. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day. He shall immediately call the members to order, and, on the appearance of a majority of the members, shall cause the journal of the preceding day to be read.

RULE 2. Seven members, with the Speaker, or eight members in his absence, having chosen a Speaker, *pro tem.*, shall be authorized to call the House, and compel the attendance of absent members, make an order for their fine and censure, and may adjourn.

RULE 3. The Speaker shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House, by any two members, on which appeal no member shall speak more than once, unless by leave of the House.

RULE 4. The Speaker shall rise to put a question, but may state it sitting.

RULE 5. Questions shall be directly put in this form, to-wit: "As many as are of the opinion that (as the question may be) say aye;" and after the affirmative vote is expressed—"As many as are of the contrary opinion say no." If the Speaker doubt, or a division is called for, the House shall divide—those in the affirmative of the question shall first rise from their seats, and the number being announced, those in the negative shall rise.

RULE 6. The Speaker shall have a general direction of the House of Representatives' room, he shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjourn-

ment. He shall have the right to name any member to bear messages to the Senate, and to appoint all committees, subject to additional members, to be added upon motion.

RULE 7. The Speaker shall vote when the ayes and noes are called for—his name being called last; and in case of an equal division, the question shall be lost; and upon all other questions where the House is equally divided, he shall give the casting vote; or where his vote would make an equal division, he shall vote upon the call of any member, and in case of such division, the question shall be lost.

RULE 8. Fourteen standing committees, to consist of three members each, except the committee on judiciary, which shall consist of five members. A committee on elections, a committee on ways and means, a committee on education, a committee on the judiciary, a committee on claims, a committee on military affairs, a committee on roads and highways, a committee on engrossed bills, a committee on enrolled bills, a committee on Indian affairs, a committee on printing, a committee on corporations, a committee on commerce, a committee on counties. It shall be the duty of the committee on elections to examine and report upon the certificates of elections and other credentials of the members returned to serve in the House, and to take into consideration all other matters relative to contested elections which may be referred to them. It shall be the duty of the committee on ways and means to inquire into the financial concerns of the State, and to make a detailed report of the same, and to take into consideration all such other business as may be referred to them; and each of the other committees shall take into consideration all subjects and matters which may be referred to them.

RULE 9. In case of any disturbance or disorderly conduct in the lobby, the Speaker (or Chairman of the whole House) shall have the power to order the same to be cleared.

RULE 10. No committee shall sit during the sitting of the House without special leave; and all writs, warrants and subpoenas issued by order of the House, shall be under the hand and seal of the Speaker, attested by the Clerk.

RULE 11. All questions relating to the priority of business shall be decided without debate.

RULE 12. After the journals are read, business shall be disposed of in the following order:

1. Petitions, Memorials and Remonstrances.
2. Reports from Standing Committees.

3. Reports from select committees.
4. Propositions and Motions.
5. Second Reading of Bills, etc.
6. Engrossed Bills read a Third Time.
7. Bills, Reports, and other Business Lying on the Table.
8. Bills and other Business of the House.
9. Other Business of the Senate.
10. Orders of the Day.

RULE 13. The Speaker shall, upon each day, announce to the House the business in order, agreeably to the preceding rule; and no business shall be taken up or considered until the class to which it belongs shall be declared to be in order; but messages from the Governor may be read at any time.

RULE 14. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to Mr. Speaker, and shall confine himself to the question under debate, and avoid personality; and no member shall impeach the motive of any other member's vote or argument.

RULE 15. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

RULE 16. If any member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to the censure of the House for words spoken in debate, if any other member has spoken, or other business has intervened, after the words are spoken, and before exception to them shall have been taken.

RULE 17. When two or more members happen to rise at once, the Speaker shall name who is the first to speak.

RULE 18. No member shall speak more than twice to the same question without the leave of the House, nor

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more than once until every member choosing to speak shall have spoken.

RULE 19. While the Speaker is putting the question, or addressing the House, no member shall walk across or out of the House; nor when a member is speaking shall any entertain private discourse or pass between him and the Chair.

RULE 20. No member shall vote on any question, in the event of which he is immediately and particularly interested, or in any case when he was not within the bar of the House when the question was put; and when any member shall ask leave to vote, the Speaker shall propound to him the question: "Were you within the bar when your name was called?"

RULE 21. No member shall be permitted to record his vote on either side of any question, unless he was present in the House at the time such question was put, unless by unanimous consent of the House.

RULE 22. Upon a division and count of the House on any question, no member without the bar shall be counted.

RULE 23. Every member who shall be in the House when the question was put, shall give his vote, unless the House, for special reasons, shall excuse him. All motions to excuse a member from voting shall be made before the House divides, or before the call of the yeas and nays is commenced, and any member requesting to be excused from voting, may make a brief verbal statement of the reasons for making such request; and the question shall then be taken without further debate.

RULE 24. When any motion is made and seconded, it shall be stated by the Speaker, or, being in writing, it shall be handed to the Chair, and read aloud before debated.

RULE 25. Every motion shall be reduced to writing, if the Speaker or a member desire it.

RULE 26. After a motion is stated by the Speaker, and read, it shall be deemed to be in possession of the House, but may be withdrawn at any time before decision or amendment.

RULE 27. When a question is under debate, no motion shall be received but to adjourn, to lie upon the table, for the previous question, to postpone indefinitely, to postpone to a day certain, to recommit, or amend; which several motions shall have precedence in the order in which they stand arranged; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be

again allowed on the same day, and at the same stage of the bill or proposition.

RULE 28. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

RULE 29. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and, until it is decided, shall preclude all amendment and further debate of the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motions, no call shall be in order prior to the decision of the main question.

RULE 30. On a previous question there shall be no debate; all incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE 31. Motions and reports may be committed at the pleasure of the House.

RULE 32. Any member may call for a division of a question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall preclude neither amendment, nor a motion to strike out and insert.

RULE 33. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith, any other bill or resolution pending before the House.

RULE 34. When a motion has once been made, and carried in the affirmative or negative, it shall be in order for any member of the majority to move for a reconsideration thereof on the same or within three days thereafter.

RULE 35. When a reading of a paper is called for, if any objections are made, it shall be decided by a vote of the House.

RULE 36. The unfinished business at which the House was engaged the preceding adjournment, shall have the preference in the order of the day; and no motion or any

other business shall be received without special leave of the House, until the former is disposed of.

RULE 37. If a question pending be lost by adjournment of the House, and revived on the succeeding day, no member who shall have spoken twice on the preceding day shall be permitted again to speak without leave.

RULE 38. Petitions, memorials, and other papers addressed to the House, may be presented by the Speaker, or by any member, and shall not be debated or decided on the day of their being first read, unless when the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

RULE 39. A motion to adjourn shall always be in order; that, and the motion to lay on the table, shall be decided without debate.

RULE 40. It shall be in order for the committee on enrolled bills to report at any time when no motion is before the House. The committee can report without notice to the House, by handing the report to the principal Clerk.

RULE 41. Every bill shall be introduced by motion for leave, or by order of the House, or the report of the committee. One day's notice at least shall be given of a motion to bring in a bill, and the member giving such notice shall state concisely the leading objects of the bill, for the information of the House, which motion may be committed.

RULE 42. Every bill shall be read by sections, on three several days, unless, in case of emergency, two-thirds of the House, shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill by sections on its final passage shall in no case be dispensed with.

RULE 43. First reading of a bill shall be for information, only, except bills from individual members, which may be referred at any time. But if, on the first reading of a bill, objection be made, the question shall be: "Shall this bill be rejected?" If no opposition be made, or the question to reject be negatived, the bill shall go to its second reading without a question.

RULE 44. Upon the second reading of a bill the Speaker shall state it is ready for commitment or engrossment; and if committed, then the question shall be whether to a select or standing committee; or to a committee of the whole House, the House shall determine on what day, but if the bill be ordered to be engrossed, the House shall appoint the day when it shall be read a third time.

RULE 45. After commitment and report thereof to the

House, or at any time before its passage, a bill may be recommitted.

RULE 46. All bills ordered to be engrossed shall be in a fair round hand.

RULE 47. No amendment by way of ryder shall be received to a bill on its third reading.

RULE 48. When a bill shall pass, it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

RULE 49. In forming a committee of the whole House, the Speaker, leaving the chair, shall appoint a Chairman to preside.

RULE 50. Upon bill committed to a committee of the whole House, the bill shall be read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee and so reported to the House; after a report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

RULE 51. All questions, whether in committee or in the House, shall be propounded in the order in which they are moved, except that in filling up blanks, the largest sum and the longest time shall be first put.

RULE 52. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it is made or offered, and every such proposition shall receive its first discussion in a committee of the whole House.

RULE 53. The rules of proceeding in the House, shall be observed in a committee of the whole House, so far as they may be applicable, but no member shall speak twice to any question until every member choosing to speak shall have spoken.

RULE 54. No standing rule or order of the House, shall be rescinded or changed, without one day's notice being given of the motion therefor, nor shall any rule be suspended, except by a vote of at least two-thirds of the members present; nor shall the order of business established by the rules of the House, be postponed or changed except by a vote of at least two-thirds of the members present.

RULE 55. No member shall absent himself from the service of the House, unless he shall have leave or be sick and unable to attend.

RULE 56. The Clerk of the House shall take an oath for

the true and faithful discharge of the duties of his office, to the best of his abilities, and shall be deemed to continue in office until another be chosen.

RULE 57. The duty of Doorkeeper shall be, to give notice to the House of all messages, to carry all messages the House may require—private as well as public. When requested to call a member of the House, he shall do so by name; he shall keep the House clean, and have a good fire made therein by the hour of nine o'clock in the morning, when the weather require it.

RULE 58. It shall also be the duty of the Doorkeeper to attend the House during the sittings, to keep the Representative Hall and committee rooms in perfect order, and in all things to execute the commands of the Speaker, and of the House, from time to time.

RULE 59. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings, announce all messages, preserve order in the lobby of the Hall, and to execute all processes issued by authority of the House, and directed to him by the Speaker.

RULE 60. No person shall be allowed to smoke in the Hall or lobby thereof, while the House is in session.

RULE 61. The Clerk shall keep a journal of the decisions of the Chair, to be inserted at the close of the journal of the House.

RULE 62. On the final passage of every bill the yeas and nays shall be taken.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has permanently organized, by the election of Hon. Wilson Bowlby, of Washington county, as President; S. A. Clark, as Chief Clerk; W. B. Daniels, as Assistant Clerk; Richard Barker, as Sergeant-at-Arms; Wiley Chapman, as Enrolling Clerk; D. M. Fields, as Doorkeeper—and they are now ready to proceed to business.

S. A. CLARK, *Chief Clerk.*

Mr. Simpson offered the following resolution:

H. J. R. No. 1: *Resolved*, By the House, the Senate concurring, that the joint rules of the last session of the Legislature be adopted temporarily as the joint rules for this session, which was adopted.

Mr. Moores submitted the following resolution:

H. R. No. 3: *Resolved*, That the Secretary of State be requested to furnish each member of this House with a copy of the laws and journals of the first regular session of the Legislature; also, the requisite and usual amount of stationery.

On motion, the resolution was adopted.

Mr. Simpson offered the following resolution:

H. J. R. No. 2: *Resolved*, That a committee of three, on the part of the House, and a like number on the part of the Senate, be appointed to report joint rules for the government of the two Houses, which, on motion, was adopted.

Messrs. Simpson, Moores and Gillette were appointed on said committee.

Mr. Dufur offered the following resolution:

H. J. R. No. 3: *Resolved*, The Senate concurring, that a committee of three, on the part of the House, and a like number on the part of the Senate, be appointed to wait upon his Excellency the Governor, and inform him that both Houses are now organized and ready to receive any communications which he may see fit to make.

On motion, the resolution was adopted.

The Chair announced Messrs. Dufur, Reed and Watson as committee on part of the House.

On motion of Mr. Mallory, the House adjourned until ten o'clock to-morrow morning.

TUESDAY, SEPTEMBER 9, 1862.

House met pursuant to adjournment.

Absent—Messrs. Haines and Wilcox.

The journal of yesterday was read, corrected and approved.

Mr. Dufur presented the credentials of Mr. Conyers, whereupon the Speaker administered the oath of office.

The following message was received from the Senate:

MR. SPEAKER: I am instructed by the President of the Senate to inform you that the Senate has concurred in the joint resolution originating with you, H. J. R. No. 3, to appoint a committee of three to wait upon the Governor, and he has appointed Messrs. McBride, Drew and Curl said committee.

S. A. CLARK, *Chief Clerk.*

The Speaker announced the following standing committees:

- On Elections.*—Messrs. Stevenson, Haines, Engle.
- On Ways and Means.*—Messrs. Brown, Reed, Kearns.
- On Education.*—Messrs. Richardson, Mallory, Gillette.
- On Judiciary.*—Messrs. Mallory, Humason, Cummins, Moores, Stevenson.
- On Claims.*—Messrs. Simpson, Smith, Haines.
- On Military Affairs.*—Messrs. Applegate, Wilson, Hencuway.
- On Roads and Highways.*—Messrs. Dufur, Minto, Wilkms.
- On Engrossed Bills.*—Messrs. Moores, Blair, Stevenson.
- On Enrolled Bills.*—Messrs. Cummins, Reed, Fay.
- On Indian Affairs.*—Messrs. Simpson, Watson, Humason.
- On Printing.*—Messrs. Humason, Conyers, McCully.
- On Corporations.*—Messrs. Collard, Van Dyke, Witham.
- On Commerce.*—Messrs. Wasserman, Gillette, Moores.
- On Counties.*—Messrs. McCoy, Ramsby, McClure.

On motion of Mr. Simpson, one hundred copies of the House Standing Committees were ordered printed for the use of the House.

Mr. Moores offered the following resolution:

H. R. No. 4: *Resolved*, That the Sergeant-at-Arms be instructed to procure for the use of the members of the House, such newspapers published in this State, as the members may desire, not to exceed six copies to each member; and that the Secretary of State be authorized to draw warrants defraying the expenses of the same.

On motion, the resolution was adopted.

Mr. Humason presented a petition from the citizens of

Powder River Valley, asking for the organization of a new county, to be called Baker county.

Which was read, and on motion of Mr. Humason, the petition was referred to a Special Committee of three, consisting of Messrs. Humason, Moores and Watson.

Mr. Dufur, Chairman of the House Joint Committee appointed to wait upon his Excellency, the Governor, submitted the following report:

MR. SPEAKER: Your Committee appointed to act in conjunction with a Committee of the Senate, to wait upon his Excellency, the Governor, beg leave to report:

That it is the pleasure of his Excellency, Governor Whiteaker, to communicate his message with accompanying documents to-morrow morning at 10 o'clock, to each House separately.

A. J. DUFUR, *Chairman.*

On motion, the report was adopted and Committee discharged.

Mr. Dufur offered the following resolution:

Resolved, That the Chief Clerk be instructed to procure one hundred printed copies of the rules and joint rules for the use of the members of the House.

On motion of Mr. Simpson, the resolution was laid on the table.

On motion of Mr. Cummins, the House adjourned until two o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Dufur, Fay, Humason, Haines, McCoy, Reed, Smith, Stevenson, Simpson, Wasserman, Witham, Wilcox and Wilson.

Mr. Humason presented a petition from the citizens of Auburn, Powder River Valley, for a charter incorporating the City of Auburn.

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Which was read, and on motion of Mr. Humason, was referred to the Committee on Corporations.

Mr. Humason presented a petition from the citizens of Powder River Valley, asking for a charter for a wagon road from Auburn to intersect the Emigrant road leading from the Atlantic States to Oregon.

Which was read, and on motion of Mr. Humason, was referred to the Committee on Roads and Highways.

The following message was received from the Senate :

MR. SPEAKER : I am instructed by the President of the Senate, to inform you that the Senate has concurred in House Joint Resolution No. 2, which is herewith returned. And he has appointed Messrs. Curl, Mitchell, and Taylor, to act upon the Joint Committee to report rules for the Government of both Houses.

S. A. CLARK, *Chief Clerk.*

Mr. Mallory offered the following resolution :

H. J. R. No. 4 : *Resolved*, By the House, the Senate concurring, that the members of the House of Representatives and the members of the Senate, meet in Joint Convention in the Hall of the House of Representatives at 2 o'clock, P. M., on Wednesday, September 10, 1862, for the purpose of electing one U. S. Senator, to fill the vacancy caused by the death of the Hon. E. D. Baker.

Mr. Humason moved its adoption.

Mr. Collard moved to amend by striking out the words Wednesday, September 10th, and insert Friday, September 12th, at 2 o'clock, P. M.

Amendment adopted.

Mr. Simpson moved to lay it on the table.

Which was lost.

The resolution was then adopted as amended.

Mr. Smith offered the following resolution :

H. R. No. 5 : *Resolved*, That the opening and publication of the election returns for Governor, be made the special order for to-morrow morning, at 11 o'clock, A. M.

Mr. Moores moved to amend by striking out the words 11 o'clock and insert the words 10 o'clock.

Which was lost.

The resolution was then adopted.

Mr. Fay offered the following resolution :

H. R. No. 6: *Resolved*, That the Secretary of State be requested to transmit to the House the election returns for Governor, and that the Senate be invited to attend at the opening and publication of the same, at 11 o'clock tomorrow morning.

On motion the resolution was adopted.

Mr. Dufur, moved to reconsider the vote on
H. J. R. No. 4: Concerning the election of U. S. Senator.
The motion was adopted.

Mr. Dufur then moved to amend by striking out Friday, 2 o'clock, P. M., and insert Thursday at 10 o'clock, A. M.
Which motioned prevailed.

The resolution as amended was then adopted.

The following message was received from the Senate :

MR. SPEAKER: I am instructed by the President of the Senate to inform you that the Senate has unanimously passed the enclosed resolution, (S. J. R. No. 1,) which is herewith transmitted, and your concurrence respectfully requested in the same.

S. A. CLARK, *Chief Clerk*.

WHEREAS, There is now in progress a wicked and armed rebellion against the Federal Union, seeking its overthrow and dismemberment, and

WHEREAS, Those engaged in this revolutionary and treasonable movement, claim that the several States possess the constitutional and legal right to secede from the Union and inaugurate a new government, including the resulting right to support such organization by force of arms, and

WHEREAS, The people of the State of Oregon, citizens of the United States, have a vital and paramount interest in the preservation of our beneficent system of free government and the perpetuity of the Federal Union as its basis.

Therefore be it

Resolved, By the Legislative Assembly of the State of Oregon:

That we have a firm and unalterable attachment and devotion to the American Union, that it is a binding and perpetual connection between the States composing it, that the alleged right of secession urged by those resisting the Federal Authority, has no existence, is a doctrine alike unfounded in the Constitution and fatal to all good government, and we brand it as a political heresy, cherished only by traitors and their sympathizers.

2d. That the rebellion is an unjustifiable, inexcusable and wicked attempt, the result of a base conspiracy, long since entered into by ambitious enemies of our republican institutions, to overthrow our glorious Union and the noble form of free government which it supports, and that those who justify or apologize for its treason, are false to their Government and traitors to the cause of humanity throughout the world, and that this infamous revolt should be suppressed by the use of every means necessary to effect that object.

3d. That as the Federal Union is the basis of all our prosperity and character as a nation, we will support the Executive of the Government in every effort "to preserve, protect and defend" it, and take care that the laws be faithfully executed, and that all attempts to embarrass the Administration by assaults or captious criticism upon its policy, should be regarded as unpatriotic and having a direct tendency to aid the traitors now fighting against the Government.

4th. That the war against the rebellion should be prosecuted for the sake of preserving the Union, and not to subserve any mere partisan purposes whatever, and to this end, while we insist that an assault upon the peculiar institutions of the rebellious States, was *never* any part of the purpose of the Government in its efforts to maintain its authority, we deny that slavery shall be permitted to stand between the loyal American citizen and the preservation of the Government, "that the paramount object in this struggle is to save the Union, and not to save or destroy slavery," and that we pledge the people of Oregon to sustain the Federal Authorities in any lawful action in reference thereto, which has for its purpose and result, the maintenance and perpetuity of the Union.

5th. That the weak and wicked scheme of a Pacific Confederacy, concocted and cherished by secession sympathizers

and agents, meets the emphatic condemnation of the people of Oregon, and we denounce it as a development of treason, favored by no man who has intelligence and patriotism.

6th. That the practical issues of the times demand that patriots cease to cavil or discuss the partisan questions of the past, that all who desire the perpetuity of our free system of government, should unite in one common fraternal effort to support the National Executive in its endeavors to subdue the present causeless and wicked revolt, against the best and wisest Government ever devised by man, until the end shall be accomplished, whatever of time or sacrifice its consummation may demand.

Mr. Gillette moved the adoption of the resolutions.

On motion of Mr. Dufur, a call of the House was ordered.

The roll being called, all members answered.

The yeas and nays being demanded upon the adoption of the resolutions, resulted as follows :

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kearns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—33.

Nays—None.

So the resolutions passed.

Mr. Moores presented the report of the State Treasurer, and moved that five hundred copies be printed for the use of the House.

Which motion prevailed.

The following message was received from the Senate :

MR. SPEAKER: I am instructed by the President to inform you that the Senate has concurred in House J. R. No. 4., which is herewith returned.

S. A. CLARK, *Chief Clerk.*

Mr. Humason offered the following resolution :

H. R. No. 7: *Resolved*, That the House hereafter meet

at 9 o'clock, A. M., and at 2 o'clock, P. M., unless otherwise specially directed.

Which was read and on motion adopted.

On motion of Mr. Simpson, the House adjourned.

WEDNESDAY, SEPTEMBER 10, 1862.

House met pursuant to adjournment.

Absent—Messrs. Fay, Gillette, Minto, Richardson, Wilcox, Witham.

The journal of yesterday was read, corrected and approved.

Mr. Moores moved to reconsider the vote on House Resolution No. 4.

Which was ruled out of order.

Mr. Collard presented a petition from the City Council of Oregon City, asking to amend the charter of that city.

Which on motion was referred to the Committee on Corporations.

Mr. Haines offered the following resolution :

H. J. R. No. 5: *Resolved*, By the House, the Senate concurring, that the following memorial be adopted, and that the Secretary of State be requested to forward a copy thereof to each of our Senators and to our Representatives in Congress, with a copy of this resolution :

To the Hon. the Senate and House of

Representatives, in Congress Assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent the importance and necessity, in view of foreign conflicts, of furnishing this State with a full complement of arms and munitions of war, the establishing an arsenal and the building an iron gun boat for the Columbia River, to enable us to defend this Coast

against the enemies of the United States. That the State is defenseless and absolutely at the mercy of any wooden sloop of war.

Therefore your memorialists would ask and pray for early action by bill and appropriation, for the defense of Oregon and the Northwest Coast.

On motion of Mr. Haines, the resolution was adopted and referred to a Special Committee of four.

Consisting of Messrs. Haines, Mallory, Cummins and Gillette.

Mr. Simpson, Chairman of Joint Committee on the part of the House, submitted the following report :

MR. SPEAKER: The committee appointed on the part of the House, to act with a like committee on the part of the Senate, to draft joint rules for the government of both Houses, would ask leave to report by recommending the adoption of the joint rules of last session.

B. SIMPSON, *Chairman.*

On motion of Mr. Humason, the report was adopted.

Mr. Reed offered the following resolution :

H. R. No. 8: *Resolved*, That the Sergeant-at-Arms be instructed to procure for the use of the officers of the House, such newspapers published in this State as they may select, not exceeding six copies to each officer, and that the Secretary of State be instructed to draw warrants to defray the expenses of the same.

On motion of Mr. Humason, the resolution was adopted.

Mr. Haires gave notice, at an early day that he would introduce a bill amending the city charter of Jacksonville.

By consent of the House the bill was introduced, read first time and passed to the second reading.

Mr. Humason offered the following resolution :

Resolved, That the Clerk be requested to furnish one hundred printed copies of the rules and joint rules, for the use of the members of the House.

Mr. Mallory moved to adopt the resolution.

Which was lost.

The following message, with accompanying documents, was received from the Governor through C. N. Terry, his Private Secretary, and read:

[For Message see appendix.]

Mr. Mallory moved that one hundred copies be printed for the use of the House.

Mr. Stevenson moved to amend by striking out the words one hundred and insert fifty copies.

The yeas and nays being demanded on Mr. Stevenson's amendment, resulted as follows:

Yeas—Messrs. Fay and Mr. Speaker—2.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kearns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson—31.

So the amendment was lost.

Mr. Humason moved to amend by striking out one hundred and insert three hundred copies.

The yeas and nays being demanded on the amendment, resulted as follows:

Yeas—Messrs. Fay, Humason, Haines—3.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kearns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Ramsby, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—30.

So the amendment was lost.

The vote recurring upon the original motion was lost.

On motion of Mr. Hemenway, referred to Committee of the Whole.

Mr. Mallory moved to reconsider the vote, on referring the Governor's Message to Committee of the Whole.

The motion prevailed.

Mr. Humason moved to lay the message on the table.

Which was lost.

Mr. ——— moved to refer to Committee of the Whole.

Which motion was lost.

On motion of Mr. Conyers, the message was laid on the table, and fifty copies ordered printed.

On motion of Mr. Fay, the accompanying documents were referred to a Special Committee of three.

Consisting of Messrs. Fay, Applegate and Humason.

The following message was received from the Senate:

MR. SPEAKER: I am instructed by the President to inform you that the Senate have accepted the invitation extended them in H. R. No. 6, to meet at 11 o'clock to-day to attend the opening and publication of the votes for Governor.

S. A. CLARK, *Chief Clerk.*

On motion of Mr. Brown, a committee of three was appointed to invite and conduct his Excellency, the Governor elect, to a seat in the House of Representatives.

Said committee consisting of Messrs. Brown, Collard and Applegate.

The Governor elect was then announced and conducted to a seat in the House.

The following message was then received from the Secretary of State:

OFFICE OF SECRETARY OF STATE, }
SALEM, OREGON, September 10, 1862. }

To Speaker of House of Representatives: In accordance with H. R. No. 6, I herewith transmit to you the election returns for Governor, for 1862.

LUCIEN HEATH, *Secretary of State.*

By CHESTER N. TERRY, *Assistant Secretary of State.*

H. J.—4.

The President and members of the Senate being announced as in attendance, the House proceeded to open and publish the vote for Governor, which resulted as follows:

COUNTIES.	A. C. Gibbs.....	J. F. Miller.....
Benton	258	214
Curry.....	110	9
Coos	89	4
Clackamas	650	262
Clatsop	56	10
Columbia	69	46
Douglas	354	257
Jackson	540	417
Josephine.....	235	245
Lane.....	446	353
Linn.....	661	498
Multnomah	643	199
Marion.....	951	253
Polk	384	116
Tillamook.....	26	
Umpqua	148	24
Wasco.....	698	291
Washington.....	303	87
Yamhill.....	408	165
Total.....	7,029	3,450

Whereupon, Addison C. Gibbs having received a majority of all the votes cast, was, by the Speaker, declared duly elected Governor for the State of Oregon for the ensuing four years.

Mr. Stevenson offered the following resolution:

H. R. No. 9: *Resolved*, That the House adjourn to meet at the Methodist Church, at 2 o'clock, P. M. this day, for the purpose of participating in the inauguration of the Governor elect.

Which was adopted.

On motion of Mr. Gillette, the House adjourned until the usual hour to-morrow morning.

THURSDAY, SEPTEMBER, 11, 1862.

House met pursuant to adjournment.

The journal of yesterday was read, corrected and approved.

Mr. Moores presented a memorial from the lady managers of the Deaf and Dumb Assylum of California.

Which, on motion of Mr. Reed, was referred to a Select Committee of three.

Said committee consisting of Messrs. Reed, Mallory and Stevenson.

Mr. Haines offered a memorial of Thomas Chavner, of Jackson county, asking for a charter for a bridge across Rogue river.

Which, on motion, was referred to Committee on Corporations.

Mr. Humason, Chairman of the committee to whom was referred the petition, asking for the organization of Baker county, reported the following bills:

H. B. No. 2: Concerning the organization of Umatilla county.

Which was read first time and passed to second reading.

H. B. No. 3: Concerning the organization of Baker county.

Which was read first time and passed to second reading.

On motion of Mr. Dufur, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines Hemenway, Kearns, Mallory, McClure, Minto, Moores, McCully,

* * *

McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—31.

Nays—Messrs. Brown, Fay—2.

The bill was read second time by title, and on motion of Mr. Simpson, was referred to Committee on Counties.

H. B. No. 4: An Act to organize ——— county.

Which was read first time, and on motion, was referred to Committee on Counties.

Mr. Moores offered the following resolution :

H. R. No. 10: *Resolved*, That the Secretary of State be instructed to procure for the use of the members of the House, a supply of postage stamps and stamped envelopes, not exceeding an amount to the value of two dollars to each member.

The yeas and nays being demanded upon the adoption of the resolution, resulted as follows :

Yeas—Messrs. Applegate, Blair, Brown, Colard, Cummins, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kearns, Mallory, McClure, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Witham—23.

Nays—Conyers, Dufur, Minto, McCully, McCoy, Wasserman, Wikins, Wilson, Watson, Mr. Speaker—10.

So the resolution was adopted.

Mr. Wasserman offered the following resolution :

H. J. R. No. 6: *Resolved*, That the House, the Senate concurring, instruct our Senators and request our Representatives in Congress, to procure the passage of a law establishing a branch mint at the city of Portland; to meet the wants of the large mining districts now being opened in this State and in Washington Territory.

Which, on motion, was referred to Committee on Commerce.

H. B. No. 1: To amend the charter of the city of Jacksonville, was read second time, and on motion, was referred to Committee on Corporations.

On motion, the House took a recess of five minutes.

Called to order at 10 o'clock.

IN JOINT CONVENTION.

The time having arrived to go into Joint Convention for the election of a United States Senator, in accordance with H. J. R. No. 4, the Sergeant-at-Arms announced the President and members of the Senate as in attendance.

The Convention was called to order by the President, and proceeded to the election of a United States Senator.

Mr. Simpson placed in nomination, B. F. Harding.
Mr. Smith placed in nomination, George H. Williams.
Mr. Hemenway placed in nomination, E. L. Applegate.
Mr. Wagner placed in nomination, O. Jacobs.
Mr. McCully placed in nomination, Thomas H. Pearne.
Mr. Humason placed in nomination, James H. Wilbur.
Mr. Conyers placed in nomination, A. Holbrook.
Mr. Minto placed in nomination, H. L. Preston.
Mr. Fay placed in nomination, John Whiteaker.
Mr. Haines placed in nomination, R. F. Mearns.

FIRST BALLOT.

Upon the roll being called, the following members voted for B. F. Harding:

Greenwood, Grim, Taylor, Humason, Moores, Richardson, Simpson—7.

The following members voted for G. H. Williams:

Chrisman, Curl, Brown, Collard, Smith, Witham, Watson—7.

The following members voted for E. L. Applegate:

McBride, Applegate, Blair, Cummins, Hemenway, McClure, Stevenson, Wilkins—8.

The following members voted for T. H. Pearne:

Mitchell, Dufur, Engle, McCully, McCoy, Ramsby, Wasserman, Mr. Speaker, Mr. President—9.

The following members voted for R. F. Maury:

Drew, Holton, Haines, Mallory—4.

The following members voted for John Whiteaker:

Eitzhugh, Munroe, Fay—3.

The following members voted for J. H. Wilbur:

Reed—1.

The following members voted for A. Holbrook:

Conyers, Gillette—2.

The following members voted for H. L. Preston:

Minto—1.

The following members voted for O. Jacobs:

Ballard, Hovey, Wagner, Van Dyke, Wilson—5.

The following members voted for W. T. Matlock:

Kearns—1.

There being no choice the Convention proceeded to the

SECOND BALLOT.

The following members voted for B. F. Harding:

Greenwood, Grim, Taylor, Humason, Minto, Moores, Richardson, Reed, Simpson—9.

The following members voted for T. H. Pearne:

Mitchell, Dufur, Engle, Kearns, McCully, McCoy, Ramsby, Wasserman, Mr. Speaker, Mr. President—10.

The following members voted for G. H. Williams:

Chrisman, Brown, Collard, Smith—4.

The following members voted for E. L. Applegate:

Ballard, Curl, Hovey, McBride, Applegate, Blair, Cummins, Gillette, Hemenway, McClure, Stevenson, Wilkins, Witham—13.

The following members voted for O. Jacobs:

Wagner, Van Dyke, Wilson—3.

The following members voted for A. Holbrook:

Conyers—1.

The following members voted for R. F. Maury:

Drew, Holton, Haines, Mallory—4.

The following members voted for J. H. Wilbur:

Watson—1.

The following members voted for John Whiteaker:

Munroe, Fay—2

The following member voted blank:

Fitzhugh—1.

There being no choice the Convention proceeded to the

THIRD BALLOT.

The following members voted for B. F. Harding:

Greenwood, Grim, Taylor, Humason, Minto, Moores, Richardson, Reed, Simpson—9.

The following members voted for T. H. Pearne:

Mitchell, Conyers, Dufur, Engle, Kearns, McCully, McCoy, Ramsby, Wasserman, Mr. Speaker, Mr. President—11.

The following members voted for G. H. Williams:

Chrisman, Curl, Brown, Collard, Smith, Witham, Watson—7.

The following members voted for E. L. Applegate:

Ballard, Hovey, McBride, Wagner, Applegate, Blair, Cummins, Gillette, Hemenway, McClure, Stevenson, Wilson, Wilkins—13.

The following member voted for O. Jacobs:

Van Dyke—1.

The following members voted for R. F. Maury:

Drew, Holton, Haines, Mallory—4.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

There being no choice the Convention proceeded to the

FOURTH BALLOT.

The following members voted for B. F. Harding:

Greenwood, Grim, Blair, Humason, Minto, Moores, Richardson, Reed, Simpson—9.

The following members voted for T. H. Pearne:

Mitchell, Dufur, Engle, Kearns, McCully, McCoy, Ramsby, Wasserman, Mr. Speaker, Mr. President—10.

The following members voted for G. H. Williams:

Chrisman, Curl, Taylor, Brown, Collard, Smith, Witham, Watson—8.

The following members voted for E. L. Applegate:

Ballard, Hovey, McBride, Applegate, Cummins, Gillette, Hemenway, McClure, Stevenson, Wilkins, Wilson—11.

The following members voted for O. Jacobs:

Wagner, Haines, Van Dyke—3.

The following members voted for R. F. Maury:

Drew, Holton, Mallory—3.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

The following member voted for A. Holbrook :

Conyers—1.

Mr. Holton moved to adjourn until to-morrow.

Which motion was lost.

There being no choice, the Convention proceeded to the

FIFTH BALLOT.

The following members voted for B. F. Harding :

Greenwood, Grim, Blair, Humason, Minto, Moores, Reed, Richardson, Simpson—9.

The following members voted for G. H. Williams :

Chrisman, Curl, Taylor, Brown, Collard, Kerns, Smith, Witham, Watson—9.

The following members voted for E. L. Applegate :

Ballard, Hovey, McBride, Wagner, Applegate, Conyers, Cummins, Gillette, Hemenway, McClure, Stevenson, Van Dyke, Wilkins, Wilson—14.

The following members voted for T. H. Pearne :

Mitchell, Dufur, Engle, McCully, McCoy, Ramsby, Wasserman, Mr. Speaker, Mr. President—9.

The following members voted for R. F. Maury :

Drew, Holton, Haines, Mallory—4.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

H. J.—5

There being no choice, the Convention proceeded to the

SIXTH BALLOT.

The following members voted for B. F. Harding:

Drew, Greenwood, Grim, Holton, Humason, Minto, Moores, Richardson, Reed, Simpson—10.

The following members voted for T. H. Pearne:

Mitchell, Conyers, Dufur, Engle, Kearns, McCully, Ramsby, Wasserman, Mr. Speaker, Mr. President—10.

The following members voted for G. H. Williams:

Chrisman, Taylor, Brown, Collard, Haines, Mallory, Smith, Watson—8.

The following members voted for E. L. Applegate:

Hovey, McBride, Wagner, Applegate, Blair, Cummins, Gillett, Hemenway, McClure, Stevenson, Wilkins, Witham—12.

The following members voted for O. Jacobs:

Curl, Vandyke, Wilson—3.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted for W. T. Matlock:

Ballard, McCoy—2.

There being no choice, the Convention proceeded to the

SEVENTH BALLOT.

The following members voted for B. F. Harding:

Drew, Greenwood, Grim, Holton, Blair, Cummins, Humason, Minto, Moores, Richardson, Reed, Simpson—12.

The following members voted for G. H. Williams:

Chrisman, Taylor, Brown, Collard, Haines, Mallory, Smith, Witham, Watson—9.

The following members voted for E. L. Applegate :

Applegate, Hemenway, McClure—3.

The following members voted for T. H. Pearne :

Mitchell, Conyers, Dufur, Engle, Kearns, McCully, Ramsby, Wasserman, Wilkins, Mr. Speaker, Mr. President—11.

The following member voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

The following members voted for O. Jacobs :

Hovey, Wagner, Stevenson, Van Dyke, Wilson—5.

The following members voted for W. T. Matlock :

Ballard, Curl, McBride, McCoy—4.

The following member voted for A. Holbrook :

Gillette—1.

On motion of Mr. Mitchell, the Convention adjourned until 2 o'clock, P. M.

On motion, the House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

The Sergeant-at-Arms announced the President and members of the Senate as in attendance.

Whereupon, the Convention proceeded to the

EIGHTH BALLOT.

The following members voted for E. L. Applegate :

Ballard, McBride, Hemenway, Stevenson, Van Dyke, Wilson, Watson, Hovey, Wagner, Witham, Blair, Cummins, Gillette, Haines, McClure, McCoy, Applegate, Kerns—18.

The following members voted for G. H. Williams :

Chrisman, Curl, Holton, Brown, Collard, Mallory, Smith—7.

The following members voted for B. F. Harding :

Drew, Greenwood, Grim, Taylor, Humason, Minto, Reed, Moores, Richardson, Simpson—10.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

The following members voted for T. H. Pearne :

Mitchell, Conyers, Dufur, Engle, McCully, Ramsby, Waserman, Wilkins, Mr. Speaker, Mr. President—10.

Mr. Hemenway withdrew the name of E. L. Applegate.

Mr. Stevenson put in nomination Jesse Applegate.

There being no choice, the Convention proceeded to the

NINTH BALLOT.

The following members voted for W. T. Matlock :

Ballard, McBride, McCoy, Ramsby—4.

The following members voted for G. H. Williams :

Chrisman, Holton, Collard, Haines, Hemenway, Kearns, Mallory, Smith, Witham, Watson—10.

The following members voted for Jesse Applegate :

Curl, Drew, Hovey, Wagner, Applegate, Gillette, Stevenson, Van Dyke, Wilson—9.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

The following members voted for B. F. Harding :

Greenwood, Grim, Taylor, Blair, Brown, Cummins, Humason, McClure, Minto, Moores, Richardson, Reed, Simpson—13.

The following members voted for T. H. Pearne :

Mitchell, Conyers, Dufur, Engle, McCully, Wasserman, Wilkins, Mr. Speaker, Mr. President—9.

Mr. Collard withdrew the name of A. Holbrook.

There being no choice, the Convention proceeded to the

TENTH BALLOT.

The following members voted for W. T. Matlock :

Ballard, McBride—2.

The following members voted for G. H. Williams :

Chrisman, Holten, Brown, Collard, Haines, Hemehway, Kearns, Mallory, Smith, Van Dyke, Witham, Watson—12.

The following members voted for Jesse Applegate :

Curl, Drew, Hovey, Wagner, Applegate, Gillette, McCoy, Stevenson, Wilson—9.

The following members voted for John Whiteaker :

Fitzhugh, Monroe, Fay—3.

The following members voted for B. F. Harding :

Greenwood, Grim, Taylor, Blair, Cummins, Humason, McClure, Minto, Moores, Richardson, Reed, Simpson—12.

The following members voted for T. H. Pearne :

Mitchell, Conyers, Dufur, Engle, McCully, Ramsby, Wasserman, Wilkins, Mr. Speaker, Mr. President—10.

There being no choice, the Convention proceeded to the

ELEVENTH BALLOT.

The following members voted for W. T. Matlock :

Ballard, McBride—2.

The following members voted for G. H. Williams:

Chrisman, Curl, Brown, Collard, Dufur, Humason, Hemenway, Haines, Kearns, Mallory, Smith, Van Dyke, Watson, Witham, Mr. Speaker—15.

The following members voted for Jesse Applegate:

Drew, Hovey, Mitchell, Wagner, Applegate, Conyers, Gillette, Minto, Stevenson, Wilson—10.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted for B. F. Harding:

Greenwood, Grim, Holton, Taylor, Blair, Cummins, McClure, Moores, Richardson, Reed, Wilkins, Simpson—12.

The following member voted for O. Jacobs:

Engle—1.

The following members voted for T. H. Pearne:

McCully, McCoy, Ramsby, Wasserman, Mr. President—5.

There being no choice, the Convention proceeded to the

TWELFTH BALLOT.

The following members voted for W. T. Matlock:

Ballard, McBride, Wagner, Ramsby—4.

The following members voted for G. H. Williams:

Chrisman, Holton, Brown, Collard, Humason, Haines, Hemenway, Kearns, Mallory, Smith, Van Dyke, Witham, Watson, Mr. Speaker—14.

The following members voted for B. F. Harding:

Greenwood, Grim, Taylor, Blair, Cummins, McClure, Moores, Richardson, Reed, Simpson—11.

The following members voted for Jesse Applegate:

Drew, Hovey, Applegate, Conyers, Engle, Gillette, Stevenson, Wilson—8.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted for T. H. Pearne:

Mitchell, Dufur, McCully, McCoy, Wilkins, Wasserman—6.

The following member voted for H. L. Preston:

Minto—1.

The following member voted for O. Jacobs:

Mr. President—1.

Mr. Stevenson withdraw the name of E. L. Applegate for the present.

Mr. Gillette put in nomination J. Taylor.

There being no choice, the Convention proceeded to the

THIRTEENTH BALLOT.

The following members voted for W. T. Matlock:

Ballard, Hovey, McBride, McCoy—4.

The following members voted for G. H. Williams:

Chrisman, Curl, Holten, Brown, Collard, Hemenway, Smith, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—13.

The following members voted for B. F. Harding:

Drew, Greenwood, Grim, Taylor, Blair, Cummins, McClure, Moores, Richardson, Reed, Simpson—11.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted for T. H. Pearne :
Mitchell, Conyers, Dufer, Kearns—4.

The following members voted for O. Jacobs :

Wagner, Applegate, Engle, Haines, Ramsby, Van Dyke,
Mr. President—7.

The following members voted for J. Taylor :

Gillette, Humason, Stevenson, Wilson—4.

The following member voted for H. L. Preston :
Minto—1.

Mr. Holton put in nomination W. H. Watkins.

Mr. Humason put in nomination J. S. Ruckels.

There being no choice, the Convention proceeded to the

FOURTEENTH BALLOT.

The following members voted for W. T. Matlock :
Ballard, McBride—2.

The following members voted for G. H. Williams :

Chrisman, Curl, Brown, Collard, Mallory, Smith, Was-
serman, Wilkins, Witham, Watson—10.

The following members voted for B. F. Harding :

Drew, Greenwood, Grim, Taylor, Blair, Cummins, Rich-
ardson, Moores, Reed, Simpson—10.

The following members voted for W. H. Watkins :
Holton, Hovey, Engle—3.

The following members voted for John Whiteaker :
Fitzhugh, Munroe, Fay—3.

The following members voted for T. H. Pearne :

Mitchell, Conyers, Dufur, Kerns, McClure, Minto, McCully—7.

The following members voted for O. Jacobs :

Wagner, Applegate, Haines, Hemenway, McCoy, Ramsby, Stevenson, Vandyke, Wilson, Mr. Speaker, Mr. President—11.

The following member voted for J. Taylor :

Gillette—1.

The following member voted for J. S. Ruckle :

Humason—1.

There being no choice, the Convention proceeded to the

FIFTEENTH BALLOT.

The following members voted for W. T. Matlock :

Ballard, McBride—2.

The following members voted for B. F. Harding :

Chrisman, Curl, Drew, Greenwood, Grim, Taylor, Blair, Brown, Cummins, Humason, McClure, Minto, Moores, Richardson, Reed, Simpson—16.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

The following member voted for W. H. Watkins :

Holton—1.

The following members voted for O. Jacobs :

Hovey, Wagner, Applegate, Engle, Gillette, Haines, Kerns, Hemenway, McCoy, Ramsby, Stevenson, Van Dyke, Wilkins, Wilson, Mr. Speaker, Mr. President—16.

H. J.—6.

The following members voted for T. H. Pearne:

Mitchell, Dufur, McCully, Wasserman—4.

The following members voted for G. H. Williams:

Collard, Conyers, Mallory, Smith, Witham, Watson—6.

Mr. Holton withdrew the name of W. H. Watkins.

There being no choice, the Convention proceeded to the

SIXTEENTH BALLOT.

The following members voted for O. Jacobs:

Ballard, Curl, Hovey, Wagner, Applegate, Conyers, Engle, Gillette, Haines, Hemenway, Kerns, McCully, McCoy, Ramsby, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker, Mr. President—23.

The following members voted for B. F. Harding:

Chrisman, Drew, Greenwood, Grim, Taylor, Blair, Cummins, Humason, Mallory, McClure, Minto, Moores, Richardson, Reed, Simpson—15.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted for G. H. Williams:

Holton, Mitchell, Brown, Collard, Smith—5.

The following member voted for W. T. Matlock:

McBride—1.

The following member voted for T. H. Pearne.

Dufur—1.

On motion of Mr. Simpson, the Convention adjourned until 10 o'clock, to-morrow morning.

On motion, the House adjourned until the usual hour to-morrow morning.

FRIDAY, SEPTEMBER 12, 1862.

House met pursuant to adjournment.

Absent—Dufur, McCoy, Wasserman, Watson.

The journal of yesterday was read, corrected and approved.

On motion of Mr. Simpson, the proceedings relating to the Joint Convention, were not read.

Mr. Humason offered a petition from the citizens of Wasco county, asking for an appropriation for building a Deaf and Dumb Asylum.

On motion of Mr. Humason, it was referred to a Select Committee.

Said Committee consisting of Messrs. Reed, Mallory, and Stevenson.

Mr. Humason offered the petition of Wm. H. Frush, asking for an appropriation for completing the Penitentiary.

Which, on motion of Mr. Humason, was referred to the Committee on Claims.

Mr. Fay, Chairman of Committee, to whom was referred the Documents accompanying the Governor's Message, made the following report:

To the Honorable, the House of Representatives :

The Select Committee, to whom was referred the Documents accompanying Governor Whiteaker's Message, beg leave to report, recommending that fifty copies of said Documents be printed and attached to the Message.

House, September 12th.

JAMES. D. FAY, *Chairman.*

Which was adopted.

Mr. Minto offered the following bill:

H. B. No. 5: A bill to tax dogs.

Which was read first time and passed to second reading.

Mr. McCully moved to have printed three thousand copies of the Inaugural Address of his Excellency, Governor Gibbs, for the use of the House.

The yeas and nays being demanded on the adoption of the motion, resulted as follows:

Yeas—Applegate, Blair, Brown, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, McCully, McCoy, Stevenson, Wasserman, Witham, Wilson—15.

Nays—Collard, Fay, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, Ramsby, Reed, Richardson, Simpson, Van Dyke, Wilkins, Watson, Mr. Speaker—17.

On motion of Mr. Moores, two thousand copies were ordered printed for the use of the House.

Mr. Applegate offered the following bill:

H. B. No. 6: Concerning the taking up of estrays.

Which was read first time and passed to second reading.

Mr. Blair gave notice that, on to-morrow, he would introduce a bill, raising the salary of the County Judge of Benton county.

Mr. Moores gave notice that, at an early day, he would introduce a bill to defray the expenses of newspapers, stamps, etc., procured for the use of the House.

Mr. Wilkins gave notice that, on Monday, he would introduce a bill to reduce certain fees of Sheriffs.

By leave of the House, Mr. Reed presented the report of Secretary of State.

On motion of Mr. Humason, five hundred copies were ordered printed.

On motion of Mr. Gillette, the House took a recess of ten minutes.

House called to order at 10 o'clock, A. M.

The Sergeant-at-Arms announced the President and members of the Senate, as in attendance.

JOINT CONVENTION.

The Convention was then called to order by the President.

On motion of Mr. Holton, the reading of the minutes of the proceedings of the Convention, on yesterday, was dispensed with.

Mr. Humason offered the following resolution:

Resolved, That hereafter, in voting for United States Senator, each member shall rise to his feet, and distinctly announce for whom he votes, on the calling of his name.

On motion of Mr. Mitchell, the resolution was laid on the table.

The Convention then proceeded to the seventeenth ballot, with the following result:

SEVENTEENTH BALLOT.

The following members voted for B. F. Harding:

Drew, Greenwood, Grim, Taylor, Blair, Cummins, Moores, Richardson, Reed, Simpson—10.

The following members voted for G. H. Williams:

Chrisman, Curl, Brown, Collard, Humason, Mallory, Smith, Witham, Watson—9.

The following members voted for O. Jacobs:

Holton, Hovey, Hemenway, Wagner, Applegate, Gillette, Haines, McClure, Stevenson, Van Dyke, Wilkins, Wilson—12.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted for T. H. Pearne:

Mitchell, Conyers, Dufur, Engle, Kerns, McCully, McCoy, Ramsby, Wasserman, Mr. Speaker, Mr. President—11.

The following members voted for W. T. Matlock:

Ballard, McBride—2.

The following member voted for H. L. Preston:

Minto.

There being no choice, the Convention proceeded to the

EIGHTEENTH BALLOT.

The following members voted for W. T. Matlock:

Ballard, McBride—2.

The following members voted for G. H. Williams:

Chrisman, Curl, Blair, Brown, Collard, Humason, Malory, Smith, Witham, Watson—10.

The following members voted for B. F. Harding:

Drew, Greenwood, Grim, Holton, Taylor, Cummins, Moores, Richardson, Reed, Simpson—10.

The following members voted for T. H. Pearne:

Mitchell, Conyers, Dufur, Engle, Kerns, McCully, McCoy, Ramsby, Wasserman, Mr. Speaker, Mr. President—11.

The following members voted for O. Jacobs:

Wagner, Applegate, Gillette, Haines, McClure, Stevenson, Van Dyke, Wilson—8.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted for H. L. Preston:

Minto—1.

The following members voted blank:

Hovey, Hemenway, Wilkins—3.

Mr. Holton, then put in nomination, W. H. Watkins.

Mr. Van Dyke withdrew the name of O. Jacobs:

There being no choice, the Convention proceeded to the

NINETEENTH BALLOT.

The following members voted for B. F. Harding:

Drew, Greenwood, Grim, Taylor, Cummins, Moores, Richardson, Reed, Simpson—9.

The following members voted for G. H. Williams:

Chrisman, Curl, Blair, Brown, Collard, Humason, Mallory, Witham, Watson, Kerns, Smith—11.

The following members voted for W. H. Watkins:

Holton, Hovey, Wagner, Applegate, Gillette, Haines, Hemenway, McClure, Stevenson, Van Dyke, Wilkins, Wilson—12.

The following members voted for W. T. Matlock:

Ballard, McBride—2.

The following members voted for T. H. Pearne:

Mitchel, Conyers, Dufur, Engle, McCully, McCoy, Waserman, Ramsby, Mr. Speaker, Mr. President—10.

The following member voted for H. L. Preston:

Minto—1.

The following members voted for John Whiteaker:

Fitzhugh, Monroe, Fay—3.

Mr. Curl moved to adjourn until 2 o'clock, P. M.

Which motion was lost.

There being no choice, the Convention proceeded to the

TWENTIETH BALLOT.

The following members voted for W. T. Matlock;
Ballard, McBride—2.

The following members voted for B. F. Harding:
Drew, Greenwood, Grim, Taylor, Blair, Brown, Cummins, Moores, Richardson, Reed, Simpson—11.

The following members voted for G. H. Williams:
Chrisman, Curl, Humason, Collard, Kerns, Mallory, Smith, Witham, Watson—9.

The following members voted for T. H. Pearne:
Mitchell, Conyers, Dufur, Engle, Hemenway, McCully, Ramsby, Wasserman, Mr. Speaker, Mr. President—10.

The following members voted for W. T. Matlock:
Ballard, McBride—2.

The following members voted W. H. Watkins:
Holton, Hovey, Wagner, Applegate, Gillette, Haines, McClure, McCoy, Stevenson, Van Dyke, Wilkins—11.

The following member voted for H. L. Preston:
Minto—1.

The following members voted for John Whiteaker:
Fitzhugh, Monroe, Fay—3.

Mr. Dufur moved to adjourn until 2 o'clock, P. M.

Which motion was lost.

There being no choice, the Convention proceeded to the

TWENTY-FIRST BALLOT.

The following members voted for B. F. Harding:

Chrisman, Greenwood, Grim, Taylor, Blair, Brown, Cummins, Mallory, Moores, Richardson, Reed, Simpson, Witham—13.

The following members voted for G. H. Williams:

Curl, Drew, Collard, Humason, Smith, Watson—6.

The following members voted for T. H. Pearne:

Mitchell, Conyers, Dufur, Engle, McCully, McCoy, Ramsby, Wasserman—8.

The following members voted for W. T. Matlock:

Ballard, McBride, Kerns—3.

The following members voted for W. H. Watkins:

Holton, Hovey, Wagner, Applegate, Gillette, Haines, Hemenway, McClure, Stevenson, Van Dyke, Wilkins, Wilson, Mr. Speaker, Mr. President—14.

The following members voted for H. L. Preston:

Minto—1.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

There being no choice, the Convention proceeded to the

TWENTY-SECOND BALLOT.

The following members voted for B. F. Harding:

Ballard, Chrisman, Curl, Drew, Greenwood, Grim, McBride, Taylor, Blair, Brown, Cummins, Humason, Minto, Moores, Richardson, Reed, Simpson, Witham—18.
H. J.—9.

The following members voted for G. H. Williams :

Collard, Hemenway, Mallory, Smith, Watson—5.

The following members voted for T. H. Pearne :

Mitchell, Conyers, Dufur, Engle, Kerns, McCully, McCoy, Ramsby, Wasserman—9.

The following members voted for W. H. Watkins :

Holton, Hovey, Wagner, Applegate, Gillette, Haines, McClure, Stevenson, Van Dyke, Wilson, Wilkins, Mr. Speaker, Mr. President—13.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

Mr. McCully withdrew the name of T. H. Pearne, for the present.

There being no choice, the Convention proceeded to the

TWENTY-THIRD BALLOT.

The following members voted for B. F. Harding :

Ballard, Drew, Greenwood, Grim, McBride, Taylor, Blair, Cummins, Moores, Richardson, Reed, Simpson, Van Dyke—13.

The following members voted for G. H. Williams :

Chrisman, Curl, Brown, Collard, Dufur, Humason, Kerns, Mallory, Smith, Witham, Watson, Mr. Speaker—12.

The following members voted for W. H. Watkins :

Holton, Hovey, Wagner, Applegate, Conyers, Engle, Gillette, Haines, Hemenway, McClure, McCully, McCoy, Ramsby, Stevenson, Wilkins, Wilson, Mr. President—17.

The following members voted for H. L. Preston :

Minto, Mitchell—2.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following member voted blank:

Wasserman—1.

There being no choice, the Convention proceeded to the

TWENTY-FOURTH BALLOT.

The following members voted for B. F. Harding:

Ballard, Drew, Greenwood, Grim, McBride, Taylor, Blair, Cummins, Moores, Richardson, Reed, Simpson, Van Dyke—13.

The following members voted for G. H. Williams:

Chrisman, Curl, Brown, Collard, Dufur, Humason, Haines, Hemenway, Kerns, Mallory, Smith, Witham, Watson, Mr. Speaker—14.

The following members voted for W. H. Watkins:

Holton, Hovey, Wagner, Applegate, Conyers, Engle, Gillette, McClure, McCully, McCoy, Ramsby, Stevenson, Wasserman, Wilkins, Wilson, Mr. President—16.

The following members voted for H. L. Preston:

Mitchell, Minto—2.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

There being no choice, the Convention proceeded to the

TWENTY-FIFTH BALLOT.

The following members voted for B. F. Harding:

Ballard, Drew, Greenwood, Grim, McBride, Taylor, Cummins, Moores, Richardson, Reed, Stevenson, Vandyke—13.

The following members voted for G. H. Williams:

Chrisman, Curl, Blair, Brown, Collard, Conyers, Dufur, Humason, Haines, Hemenway, Kerns, Mallory, Ramsby, Smith, Witham, Watson, Mr. Speaker, Mr. President—18.

The following members voted for W. H. Watkins:

Holton, Hovey, Wagner, Applegate, Engle, Gillette, McClure, McCoy, Wilkins, Wilson, McCully—11.

The following members voted for H. L. Preston:

Mitchell, Minto—2.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following member voted blank:

Wasserman—1.

Mr. Hovey withdrew the name of W. H. Watkins and nominated H. L. Preston.

Mr. Hovey moved to adjourn until 2 o'clock, P. M.

Which motion was lost.

There being no choice, the Convention proceeded to the

TWENTY-SIXTH BALLOT.

The following members voted for B. F. Harding:

Ballard, Drew, Greenwood, Grim, Holton, McBride, Taylor, Blair, Cummins, Engle, Moores, McCoy, Richardson, Reed, Stevenson, Simpson—16.

The following members voted for G. H. Williams:

Chrisman, Curl, Brown, Collard, Conyers, Dufur, Humason, Haines, Hemenway, Kerns, Mallory, Smith, Wilkins, Witham, Watson, Mr. Speaker, Mr. President—17.

The following members voted for H. L. Preston:

Hovey, Mitchell, Wagner, Applegate, Gillette, McClure,

Minto, McCully, Ramsby, Van Dyke, Wilson—11.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following member voted blank:

Wasserman—1.

Mr. Hovey moved to adjourn.

Which motion was lost.

There being no choice, the Convention proceeded to the

TWENTY-SEVENTH BALLOT.

The following members voted for B. F. Harding:

Ballard, Blair, Drew, Greenwood, Grim, Holton, McBride, Taylor, Applegate, Cummins, Engle, Minto, Moores, McCoy, Richardson, Reed, Stevenson, Simpson—18.

The following members voted for G. H. Williams:

Chrisman, Curl, Mitchell, Brown, Collard, Conyers, Dufur, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Ramsby, Smith, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker, Mr. President—23.

The following members voted for H. L. Preston:

Hovey, McCully, Wilson—3.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following member voted for W. H. Watkins:

Wagner—1.

On motion of Mr. Hovey, the Convention adjourned till 2 o'clock, P. M.

On motion of Mr. Conyers, the House adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

The Sergeant-at-Arms announced the President and members of the Senate as in attendance.

The Convention was called to order by the President.

The Convention then proceeded to the

TWENTY-EIGHTH BALLOT.

The following members voted for B. F. Harding:

Ballard, Drew, Greenwood, Grim, Holton, Hovey, McBride, Taylor, Wagner, Blair, Cummins, McClure, Minto, Moores, McCoy, Richardson, Reed, Stevenson, Simpson, Wilkins, Witham—21.

The following members voted for G. H. Williams:

Chrisman, Curl, Brown, Collard, Conyers, Dufur, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, Ramsby, Smith, Van Dyke, Watson, Mr. Speaker, Mr. President—18.

The following member voted for W. H. Watkins:

Wilson—1.

The following members voted for John Whiteaker:

Fitzhugh, Munroe, Fay—3.

The following members voted blank:

Mitchell, Applegate, Engle, McCully, Wasserman—5.

There being no choice, the Convention proceeded to the

TWENTY-NINTH BALLOT.

The following members voted for B. F. Harding:

Ballard, Chrisman, Curl, Drew, Greenwood, Grim, Holton, Hovey, McBride, Taylor, Wagner, Blair, Cummins, Engle, McClure, Minto, Moores, McCoy, Richardson, Reed, Stevenson, Simpson, Wilkins, Witham—24.

The following members voted for G. H. Williams :

Brown, Collard, Conyers, Dufur, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, Ramsby, Smith, Van Dyke, Watson, Mr. Speaker, Mr. President—16.

The following member voted for W. H. Watkins :

Wilson—1.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

The following members voted blank :

Mitchell, Applegate, McCully, Wasserman—4.

Mr. Conyers put in nomination, H. W. Corbett.

There being no choice, the Convention proceeded to the

THIRTIETH BALLOT.

The following members voted for B. F. Harding :

Ballard, Chrisman, Curl, Drew, Greenwood, Grim, Holton, McBride, Taylor, Wagner, Blair, Cummins, Engle, Humason, Haines, Hemenway, McClure, Minto, Moores, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Mr. Speaker—28.

The following members voted for G. H. Williams :

Brown, Collard, Dufur, Mallory, Ramsby—5.

The following members voted for John Whiteaker :

Fitzhugh, Munroe, Fay—3.

The following members voted for H. W. Corbett :

Hovey, Mitchell, Conyers, Gillette, McCully, McCoy, Wasserman, Wilson, Kerns, Watson, Mr. President—11.

The following member voted blank :

Applegate—1.

Whereupon, Mr. Harding having received a majority of all the votes cast, was, by the President, declared duly elected United States Senator, to fill the vacancy occurring by the death of Hon. E. D. Baker.

On motion of Mr. Humason, the Convention adjourned *sine die*.

On motion of Mr. Gillette, the House adjourned until the usual hour to-morrow morning.

SATURDAY, SEPTEMBER 13, 1862.

House met pursuant to adjournment.

Absent—Mr. Engle.

The journal of yesterday was read and approved.

On motion of Mr. Dufur, the reading of the proceedings of the Joint Convention were dispensed with.

On motion of Mr. Mallory, the House adjourned until Monday morning, 10 o'clock.

MONDAY, SEPTEMBER, 15, 1862.

House met pursuant to adjournment.

Absent—McClure, McCully.

The minutes of Saturday were read and approved.

Mr. Wilcox being in attendance, was duly qualified by the administering of the oath by his Excellency, the Governor, after which he subscribed to the same.

Mr. Fay presented a petition from the citizens of Josephine county, praying for the relief of School District No. 16.

On motion, it was referred to a Select Committee of three. Consisting of Messrs. Fay, Simpson and Dufur.

Mr. Wasserman presented a petition from the citizens of Multnomah county, praying for the removal of negroes and Chinamen.

Which on motion, was referred to Committee on Judiciary.

Mr. Dufur presented the petition of Wm. M. King, asking for relief.

Which on motion, was referred to Committee on Claims.

Mr. Smith presented a petition from the citizens of Linn county, asking for a usury law.

Messrs. Haines, of Jackson, Wilson, of Umpqua, Mallory, of Douglas, Engle, of Marion, Cummins, of Yamhill, presented petitions of a similar character.

All of which were referred to the Committee on Judiciary.

Mr. Collard, Chairman of Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee, to whom was referred the memorial from the City Council of Oregon City, beg leave to report by bill.

F. A. COLLARD,
Chairman Committee on Corporations.

H. B. No. 7, Bill to amend the charter of Oregon City, which was read first time and passed to second reading.

Mr. McCoy, Chairman of Committee on Counties, made the following report.

H. J.—10.

MR. SPEAKER: Your Committee, to whom was referred H. B. No. 3, for the organization of Baker county, beg leave to report said bill back to the House and recommend its passage.

WM. McCOY,
Chairman of Committee on Counties.

The bill was read second time by title, and on motion, laid on the table and fifty copies ordered printed.

Mr. Collard, Chairman of Committee on Corporations, to whom was referred H. B. No. 1, to amend the charter of the City of Jacksonville, made the following report:

MR. SPEAKER: Your Committee to whom was referred H. B. No. 1, beg leave to report the same back to the House without recommendation.

F. A. COLLARD,
Chairman Committee on Corporations.

The bill was read second time by title and order engrossed.

Mr. Humason offered the following resolution:

H. R. No. 11, *Resolved*, That fifty copies of all bills, except the report of the Code Commissioners, shall be printed on first reading of the same unless otherwise ordered by the House.

On motion, the resolution was adopted.

Mr. Wasserman, Chairman of Committee on Commerce, to whom was referred H. J. R. No. 6, in reference to Branch Mint, at Portland, made the following report:

Your Committee to whom was referred H. J. R. No. 6; beg leave to report the following preamble and resolution:

WHEREAS, The Branch Mint of the United States, located at San Francisco, in the State of California, is insufficient speedily to assay and coin the gold dust that is now, and that hereafter will be procured by the thousands of miners now engaged in the extensive gold fields, in the eastern and northern portions of our State, and in Washington Territory, and,

Whereas, The persons engaged in those mines suffer great delay, and are put to great inconvenience and expense, in

carrying or sending their gold dust to said Branch Mint, and on account of the inability of said Branch Mint speedily to convert said gold dust into coin, that by reason of said delay and inconvenience, they are compelled at great expense to have their gold dust assayed elsewhere, and suffer the consequent loss of all the silver contained in their gold bars when thus assayed; and,

Whereas, under the maxim, "the greatest good to the greatest number," the thousands so engaged in mining, ought to, and should have the full benefit of their labors, instead of enriching a few capitalists engaged in speculating in gold dust. Therefore, be it

Resolved, by the Legislative Assembly of the State of Oregon, That our Senators in Congress be instructed, and our Representative be requested to procure the passage of a law establishing a Branch Mint of the United States at the city of Portland, Oregon, and the appointment of an Assistant Treasurer of the United States at said city.

P. WASSERMAN,	} <i>Com. on Commerce.</i>
I. R. MOORES,	
P. W. GILLETTE.	

On motion, the report was received.

Mr. Humason moved to amend by striking out the word "Portland," and insert "The Dalles."

On motion of Mr. Humason, the report was laid on the table.

The following message was received from the Senate, in reference to Joint Convention.

Mr. SPEAKER: I am instructed by the President to inform you that the Senate have adopted S. J. R. No. 2, herewith inclosed, and respectfully ask your concurrence.

S. A. CLARK, *Chief Clerk.*

Which was concurred in by the House.

On motion, the House took a recess of five minutes.

House called to order at 10 o'clock, A. M.

The President and members of the Senate were announced as in attendance.

JOINT CONVENTION.

The Joint Convention was called to order by the President, for the purpose of receiving the Governor's Special Message.

Absent—Messrs. Ballard, Chrisman, Holton, Taylor, Wilson.

The message was then received and read.

After which, on motion, the Convention adjourned *sine die*.

Mr. Mallory moved that one thousand copies of the Governor's Message be printed.

Mr. Minto moved to amend, by saying two thousand copies.

Mr. Haines moved to amend the amendment, by saying five thousand copies.

Which was lost.

The question recurring upon the amendment of Mr. Minto, was also lost.

The question recurring upon the original motion, was carried.

On motion of Mr. Fay, the House took from the table the memorial concerning a Branch Mint at Portland.

On motion of Mr. Humason, the memorial was referred to Committee of the Whole.

Mr. Gillette moved that the House do now resolve itself into a Committee of the Whole.

Which was withdrawn for an amendment of Mr. Mallory, that the House go into Committee of the Whole at 3 o'clock, P. M., for the consideration of the memorial.

Which was adopted.

Mr. Collard moved to adjourn.

Which motion was lost.

Mr. Collard, Chairman of Committee on Corporations, presented the following report :

MR. SPEAKER : Your Committee to whom was referred a petition from the citizens of the town of Auburn, asking for a charter for the town of Auburn, beg leave to report by bill.

F. A. COLLARD,
Chairman of Committee on Corporations.

H. B. No. 8, To incorporate the city of Auburn, which was read first time and passed to second reading.

On motion adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Brown, Richardson, Simpson.

Mr. Haines offered the following report :

MR. SPEAKER : The Special Committee of Four, to whom was referred H. J. R. No. 5, having had the same under consideration, beg leave to report the same back to the House without amendment, and urge its adoption.

I. D. HAINES, *Chairman Special Committee.*

On motion, the report was accepted.

Mr. Haines moved to adopt the resolution and memorial.

The yeas and nays being demanded on the motion, resulted as follows :

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—34.

Nays—None.

Mr. Mallory offered the following resolution :

H. R. No. 12, *Resolved*, That the Speaker appoint a standing committee of five on Federal Relations.

Which resolution was adopted.

Said committee consisting of Messrs. Mallory, Haines, Wilcox, Minto and Wasserman.

Mr. Blair offered

H. B. No. 9, A bill to raise the salary of the County Judge of Benton county.

Which was read first time.

Mr. Cummins gave notice that an early day he would introduce a bill for the relief of A. B. Westerfield.

Mr. Fay gave notice that on to-morrow he would introduce a bill authorizing the County Commissioners of Josephine county, to create a redemption fund for the liquidation of indebtedness.

Mr. Reed gave notice that on to-morrow he would introduce a bill for the relief of B. F. Bonham, State Librarian.

Mr. Mallory gave notice that at an early day he would introduce a bill for the appropriation of one thousand dollars for publication of proceedings of Supreme Courts.

Mr. Smith gave notice that on an early day he would introduce a bill regulating marriages.

Mr. Kerns gave notice that on to-morrow he would introduce a bill regulating the time when County Assessors should proceed to the duties of their office.

Also a bill to amend an act relating to the assessment and collection of taxes.

Mr. Moores, offered the following resolution :

Resolved, That five hundred additional copies of Governor Whiteaker's message, with accompanying documents, be printed for the use of the House.

Mr. Moores moved the adoption of the resolution.

Mr. Mallory moved to lay it upon the table.

The yeas and nays being demanded, resulted as follows :

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Cummins, Dufur, Gillette, Hemenway, Mallory, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—22.

Nays—Messrs. Blair, Engle, Fay, Humason, Haines, Kerns, Moores, Reed, Smith, Wasserman, Wilcox—11.

So the resolution was laid on the table.

Mr. Wilkins offered the following resolution :

H. R. No 12, *Resolved*, That the Speaker appoint a committee of five to revise the fees of officers.

Which, on motion, was adopted.

The Speaker appointed as said committee,

Messrs. Wilkins, Brown, Gillette, Stevenson, Humason.

Mr. Dufur gave notice that, an early day, he would introduce a bill to prevent accidents occurring to passengers traveling on highways.

Also, a bill to provide the organization of a State Agricultural Society.

Also, a bill to provide for the organization of County Agricultural Societies.

Mr. Gillette gave notice that on to-morrow he would introduce a bill to amend the Act incorporating the town of Astoria.

Mr. Humason gave notice, that at an early day, he would introduce a bill to amend the Act incorporating Dalles City.

Mr. Gillette gave notice that, at an early day, he would introduce a bill to encourage the raising of oysters.

Mr. Hemenway gave notice that, on some future day, he would introduce a bill for changing the name of the county of Lane.

Mr. Reed gave notice that, on an early day, he would introduce a bill relating to the militia of the State.

Mr. Haines gave notice that, on an early day, he would introduce a bill amending an Act and supplemental Acts, for assessment and collection of taxes.

* * *

Mr. Applegate gave notice that on to-morrow he would introduce a bill for raising the salary of the County Judge of Jackson county.

Mr. Fay gave notice that, on to-morrow, he would introduce a bill for changing the time of holding Circuit Court in the county of Josephine.

Mr. Applegate gave notice that, on to-morrow he would introduce a bill, in regard to swine running at large.

H. B. No. 6: Concerning taking up of estrays, was read second time by title, and referred to the Committee of the Whole.

H. B. No. 5: A bill to tax dogs was read second time, and referred to Committee of the Whole.

H. B. No. 2: A bill to organize Umatilla county, was read second time by title, and referred to Committee of the Whole.

On motion of Mr. Humason, all bills now on file were ordered printed.

Mr. Moores presented the following bill:

H. B. No. 10: A bill for the payment of newspapers and postage stamps, for the use of the members and officers of the House.

Which was read first time.

On motion of Mr. Conyers, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson—28.

Nays—Messrs. Mallory, McCully, Mr. Speaker—3.

So the bill was read second time.

Mr. Brown moved to refer to Committee of the Whole.

Which was lost.

On motion of Mr. Fay, the rules were further suspended, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Read, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson—28.

Nays—Messrs. Brown, Conyers, McCully, Mr. Speaker—4.

So the bill was read third time.

On motion, the bill was referred to a Select Committee of three.

The Speaker appointed on said committee,
Messrs. Moores, Collard, Smith.

On motion, the House resolved itself into a Committee of the Whole.

Mr. Humason in the Chair.

After sometime spent therein, the Committee rose and the Chairman submitted the following report:

MR. SPEAKER: The Committee of the Whole have had under further consideration H. J. R. No. 6, beg leave to report it back to the House and recommend that it do pass.

Mr. Mallory moved that the report be laid on the table.
Which motion was lost.

Mr. Fay moved that the report be adopted.

Mr. Humason moved to lay the memorial upon the table.
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Blair, Collard, Cummins, Haines, Humason, Kerns, Mallory, McClure, Minto, McCoy, Ramsby, Smith, Van Dyke, Wilkins, Witham, Watson, Mr. Speaker—17.

Nays—Messrs. Applegate, Brown, Conyers, Dufur, Engle, Fay, Gillette, Hemenway, Moores, McCully, Richardson, Reed, Stevenson, Wasserman, Wilson—15.

H. J.—9.

* * *

So the memorial was laid upon the table.

Mr. Humason moved to adjourn.

Which motion was lost.

Mr. Moores presented the report of the State Librarian, which was read and referred to Committee on Ways and Means.

Mr. Collard gave notice that, on a future day he, would introduce a bill changing the time of the setting of the Legislature.

On motion, the House adjourned until the usual hour tomorrow morning.

TUESDAY, SEPTEMBER 16, 1862.

House met pursuant to adjournment,

Absent—Messrs. Brown, Simpson, Wilson.

The minutes of yesterday were read, corrected and approved.

On motion, the House took a recess of five minutes.

Mr. Gillette presented a petition from the citizens of Clatsop county, asking for a change in the salaries of its county officers.

Which was referred to Committee on Judiciary.

Also, a petition from the citizens of Clatsop county, asking to change its name to that of Astor county.

Which was referred to Committee on Counties.

Also, a petition of the citizens of Clatsop county, asking for a Usury Law.

Messrs. Hemenway, Moores and Kerns, also, offered petitions referring to the same subject, from their respective counties, all of which,

On motion of Mr. Humason, were referred to Committee on Judiciary.

Mr. Smith offered a petition from the citizens of Albany, asking a bill to declare the Calapooia river navigable as far up as the Albany Mills.

Which was referred to a Select Committee of Three, consisting of Messrs. Smith, Hemenway and Brown.

Mr. Moores, Chairman of Committee to whom was referred,

H. B. No. 10, Concerning newspapers, stamps, &c.,

Reported the same back with an amendment recommending its passage.

On motion, the report was accepted.

Mr. Mallory introduced a bill,

H. B. No. 11, Proving for an appropriation of \$1,000 for printing the Decisions of the Supreme Court of the State of Oregon.

Which was read first time.

Mr. Mallory moved that the bill pass to second reading, without printing; lost.

•Mr. Cummins introduced a bill,

H. B. No. 12: For the relief of A. B. Westerfield,

Which was read first time, and referred to Select Committee of three,

Consisting of Messrs. Humason, Cummins and Cully.

Mr. Applegate introduced

H. B. No. 13: A bill to prevent swine running at large,

Which was read first time.

On motion of Mr. Mallory, the bill was rejected.

Mr. Gillette introduced a bill,

H. B. No. 14: A bill to amend An Act incorporating the town of Astoria,

Which was read first time, and passed to second reading.

Mr. Gillette introduced

H. B. No. 15: A bill to encourage the growth of Oysters,

Which was read first time, and referred to Special Committee,

Consisting of Messrs. Fay, Gillette and Smith.

Mr. Humason introduced the following :

H. J. R. No. 7 : *Resolved, by the House, the Senate concurring,* That the Report of Code Commissioners be referred to a Joint Committee, composed of the Judiciary Committees of both branches of the Legislature.

The resolution was adopted.

Mr. Haines introduced

H. B. No. 16 : A bill concerning assessment and collection of taxes.

Which was read first time, and referred to Committee on Judiciary.

Mr. Reed introduced

H. B. No. 17 : A bill for the relief of B. F. Bonham,

Which was read first time, and referred to Committee on Claims.

Mr. Kerns introduced,

H. B. No. 18 : A bill for the assessment and collection of taxes.

Which was read and referred to Committee on Judiciary.

Mr. Fay introduced

H. B. No. 19 : A bill to create a Redemption Fund for Josephine county,

Which was read first time, and passed to second reading.

On motion of Mr. Dufur, the name of Mr. Wilcox was added to the Committee to Revise the Fees of Officers.

Mr. Stevenson moved, that two members be added to the Committee on Federal Relations ; which was adopted.

The Speaker appointed Messrs. Stevenson and Reed, as said Committee.

Mr. Wilcox gave notice, that on an early day, he would

introduce a bill to provide for the safe keeping, and medical treatment, of Insane and Idiotic persons.

Mr. Moores gave notice, that, on an early day, he would introduce an Act, amendatory of an Act regulating the salaries of County Judges, and County Commissioners.

Also, an Act amendatory of an Act entitled An Act to re-organize the Board of County Commissioners of certain counties.

Mr. Stevenson gave notice, that, on an early day, he would introduce a bill to change the name of Curry county.

Also, a bill to increase the salary of the County Judge of Curry county.

Mr. Conyers gave notice that, on an early day, he would introduce a bill to change the time of holding County Courts in Columbia county.

Mr. Dufur introduced

H. B. No. 20: A bill to protect persons traveling on highways.

Which was read first time and passed to second reading.

Mr. Applegate introduced

H. B. No. 21: A bill to raise the fees of the County Judge of Jackson county.

Which was read first time and passed to second reading.

Mr. Haines gave notice that, on an early day, he would introduce a bill to amend an Act, entitled "An Act to tax Chinese in Oregon."

H. B. No. 10: A bill to provide for the payment of newspapers and stamps furnished for the use of the members of the House, was read third time.

The yeas and nays being demanded upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Kerns, Cummins, Engle, Fay, Gillette, Humason, Haines, Hemenway, McClure, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Wasserman, Witham, Wilcox, Watson, Mr. Speaker—27.

. . .

Nays—Messrs. Dufur, Mallory, Minto, McCully, Van-Dyke, Wilkins, Wilson—7.

So the bill passed.

Mr. Fay moved to take the memorial, referring to the Branch Mint, from the table.

Which motion was lost.

On motion, the House adjourned until the usual hour.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Humason, Mallory, Wilcox.

On motion of Mr. Simpson, the House adjourned until the usual hour to-morrow morning.

WEDNESDAY, SEPTEMBER 17, 1862.

House met pursuant to adjournment.

Absent—Messrs. Humason, Mallory, Reed, Wasserman.

Journal of yesterday was read and approved.

Mr. Simpson, Chairman Committee to whom was referred H. B. No. 17: For the relief of B. F. Bonham,
Made the following report:

MR. SPEAKER: The Committee to whom was referred H. B. No. 17: Nor the relief of B. F. Bonham,

Have had the matter under consideration, and find the the amount claimed to be due, and, therefore, recommend its passage.

B. SIMPSON,
Chairman Committee on Claims.

On motion, the report was accepted.

The bill was then read second time.

Mr. McCoy, Chairman Committee on Counties, to whom was referred the petition of the citizens of Clatsop county, asking for a change in its name, reported by bill,

H. B. No. 22: A bill to change the name of Clatsop county to that of Astor;

Which was read first time, and

On motion, passed to second reading, without printing.

Mr. Fay, Chairman Special Committee, to whom was referred H. B. No. 15, in reference to encouraging the growth of Oysters, made the following report:

MR. SPEAKER: The Select Committee to whom was referred H. B. No. 15, beg leave to report the same back to the House without amendment.

J. D. FAY,
Chairman Select Committee.

On motion, the report was accepted.

H. B. No. 15: To encourage the growth of Oysters;

Was read second time.

On motion, the bill was laid on the table, and ordered printed.

Mr. Smith, Chairman of Select Committee, to whom was referred the petition of the citizens of Albany, made the following report:

MR. SPEAKER: Your Committee, to whom was referred the petition declaring the Calapooia river navigable, beg leave to report the following bill, and recommend its passage.

H. B. No. 23: A bill declaring the Calapooia river a public highway;

Which was read first time.

Mr. Fay, Chairman of Select Committee, to whom was referred the petition of the citizens of Josephine county, made the following report:

MR. SPEAKER: The Select Committee, to whom was referred the petition of certain citizens of Josephine county, praying for relief of School District No. 16, beg leave to report the accompanying bill.

J. D. FAY, *Chairman.*

On motion, the report was accepted.

H. B. No. 24: A bill for the relief of School District No. 16, in Josephine county.

Which was read first time.

On motion, the House granted Mr. Wasserman leave of absence until Friday next.

H. B. No. 7: A bill to amend the charter of Oregon City, was read second time and on motion, amended by inserting the word "municipal" before the word election, in section first.

On motion of Mr. Blair,

H. B. No. 9: A bill to raise the salary of County Judge of Benton County, was laid on the table.

Mr. Wilcox introduced

H. B. No. 25: A bill to provide for the safe keeping and treatment of the insane and idiotic;

Which was read first time.

Mr. Stevenson introduced

H. B. No. 26: A bill regulating the salaries of county Judges and County Commissioners;

Which was read first time, referred to committee appointed to revise fees.

On motion, H. B. No. 9, was taken from the table.

On motion, all bills relative to regulating fees of county officers, were referred to committee appointed to revise fees of officers.

Mr. Kerns introduced

H. B. No. 27: A bill regulating the terms of county officers.

Which was read first time.

Mr. Haines introduced

H. B. No. 28: A bill for taxing Chinese, negroes and Kanakas;

Which was read first time.

Mr. Smith introduced

H. B. No. 29: A bill regulating marriages.

Which was read first time.

On motion of Mr. Simpson, the House resolved itself into Committee of the Whole.

Mr. Collard in the Chair.

After some time spent therein, the Committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration H. B. No. 2, and beg leave to report the same back to the House.

On motion, the report was accepted.

On motion,

H. B's. No. 2 and 3: Referring to the organization of Umatilla and Baker counties, were referred to Committee on Counties.

On motion, the Committee on Counties were relieved from further duties in the House for to-day, in order that they might take under consideration H. B's. No. 2. and 3.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—McClure, McCoy, Ramsby, Wasserman.

Mr. Simpson gave notice that on to-morrow he would introduce—
H. J.—10.

troduce a bill for the protection of the wool growing interest.

Also, to admit the evidence of Indians in certain cases.

Mr. Stevenson gave notice that, on some future day, he would introduce a bill for the relief of Coos county.

Also, a bill for the relief of Curry county.

Mr. Conyers introduced

H. B. No. 30: A bill to regulate the time of holding County Court of Columbia county.

Which was read first time.

Mr. Gillette gave notice that, on an early day, he would introduce a bill accepting the donation of land made by Congress for the endowment of agricultural colleges.

Mr. Dufur, Chairman of Committee on Roads and Highways, made the following report:

MR. SPEAKER: The Committee on Roads and Highways, beg leave to report the accompanying communication and bill, which they have received, and recommend that they be read and lay upon the table without printing until further orders.

A. J. DUFUR, *Chairman.*

On motion, the report was accepted.

Mr. Stevenson moved to amend, by striking out the words "without printing," and insert, print fifty copies.

Which motion was lost.

On motion, the report was then adopted.

Mr. Fay gave notice that, on an early day, he would introduce a bill for providing for filling vacancies in State offices.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has concurred in H. J. R. No. 7, which is herewith returned.

S. A. CLARK, *Chief Clerk.*

Also the following message from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has failed to concur in H. B. No. 10., which is herewith returned, and have substituted in its place S. B. No. 4, which having passed the Senate, they respectfully ask your concurrence.

S. A. CLARK, *Chief Clerk.*

The following message was also received from the Senate:

MR. SPEAKER: I am instructed to inform you of the passage, by the Senate, of S. B. No. 5., herewith enclosed, and also of the enclosed memorial to Congress, requesting the establishment of a Branch Mint at Portland.

S. A. CLARK, *Chief Clerk.*

S. B. No. 5: A bill for the relief of Theodore Burmester, was read first time and passed to second reading.

The special Committee to whom was referred H. B. No. 12, made the following report:

The Special Committee to whom was referred H. B. No. 12, report the same back to the House, recommending that Jas. McAuliffe and Chas. Mansfield, ex-Treasurers of Wasco county, be included in said bill for relief; and they herewith report amended bill and recommend its acceptance in the place of the original bill.

O. HUMASON, *Chairman.*

Which on motion was adopted.

On motion of Mr. Fay, the rules were suspended on the second reading of S. B. No. 5, as follows:

Yeas—Messrs. Applegate, Blair, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Wilcox, Witham, Wilson, Watson, Mr. Speaker—28.

Nays—Messrs. Brown, Collard, Kerns, Stevenson—4.

So the bill was read second time by title.

On motion of Mr. Moores, the rules were further suspended as follows:

Yeas—Messrs. Applegate, Blair, Brown, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—26. .

Nays—Messrs. Collard, Conyers, Cummins, Kerns, Stevenson—5.

So the bill was read third time.

The yeas and nays being demanded on its final passage, resulted as follows :

Yeas—Messrs. Applegate, Blair, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Reed, Smith, Simpson, Van Dyke, Witham, Wilcox, Wilson, Watson, Mr. Speaker—24.

Nays—Messrs. Collard, Conyers, Cummins, Ramsby, Richardson, Stevenson, Wilkins—7.

So the bill passed.

Mr. Gillette offered the following resolution :

H. R. No. 14 : *Resolved*, That the Sergeant-at-Arms be instructed to furnish the Governor of this State with a copy of all printed bills, which have been or shall be reported to this House.

Which was adopted.

On motion, the House adjourned.

THURSDAY, SEPTEMBER 18, 1862.

House met pursuant to adjournment,

Absent—Messrs. Blair, Fay, Moores, Stevenson, Wasserman, Wilcox.

The minutes of yesterday were read, corrected and approved.

Mr. Collard presented a petition from the citizens of Clackamas county, referring to Usury Law.

Which was referred to Committee on Judiciary.

Mr. McCoy, Chairman of Committee on Counties, made the following report:

MR. SPEAKER: Your Committee to whom was referred the bill to organize Baker county, beg leave to report the following, as a substitute for article 1st of said bill.

W. McCOY, *Chairman*.

On motion, the report was adopted.

On motion, the bill was ordered engrossed to be read third time, this afternoon.

Mr. McCoy, Chairman of Committee on Counties, made the following report:

MR. SPEAKER: Your Committee to whom was referred the bill to organize Umatilla county, beg leave to report the following, as a substitute for article first of said bill.

W. McCOY, *Chairman*.

On motion, the report was adopted and ordered read third time to-morrow.

Mr. Fay gave notice that, on some future day, he would introduce a bill to prevent mal-practice in medicine.

Mr. Dufur gave notice that, on some future day, he would introduce a bill for the preservation of game.

Mr. Haines gave notice that, on some future day, he would introduce a bill regulating the rights of miners and farmers in mining districts.

Mr. Moores offered the following resolution:

H. R. No. 15: *Resolved*, That fifty additional copies be ordered printed of all bills sent to the Printer, making one hundred copies of each.

The resolution was adopted.

Mr. Conyers gave notice that, on an early day, he would introduce a bill to provide for inspecting salmon, and for the appointment of an inspector.

Mr. Kerns gave notice that, on some future day, he would introduce a bill increasing the salary of the County Judge of Clackamas county.

Mr. Humason gave notice that, on an early day, he would introduce a bill to increase the salaries of the Justices of the Supreme Court.

Also, a bill to create a Fifth Judicial District, and to increase the number of Justices of the Supreme Court.

Mr. Dufur moved to reconsider the vote by which S. B. No. 5 was passed on yesterday.

Mr. — moved to lay upon the table.

Which motion was lost.

The vote recurring upon the original motion, the yeas and nays being demanded, resulted as follows :

Yeas—Messrs. Applegate, Brown, Collard, Conyers Cummins, Dufur, Hemenway, Kerns, Mallory, McClure, McCully, McCoy, Richardson, Stevenson, Simpson, Wilkins, Wilson.—17.

Nays—Messrs. Blair, Engle, Fay, Gillette, Humason, Haines, Minto, Moores, Ramsby, Reed, Smith, Van Dyke, Witham, Watson, Mr. Speaker—15.

So the vote was reconsidered.

On motion, the bill was referred to a Select Committee of five.

The Speaker appointed on said Committee

Messrs. Engle, Humason, Richardson, Haines, Stevenson.

Mr. Moores offered the following resolution.

— H. R. No. 16 : *Resolved*, That the use of the Hall of the House of Representatives, be granted the Oregon State Agricultural Society this evening, at 7 o'clock, for their annual meeting.

The resolution was adopted.

The following message was received from the Senate :

MR. SPEAKER: I am instructed to inform you that the Senate has concurred in H. J. R. No. 5, which is herewith returned.

S. A. CLARK, *Chief Clerk.*

Mr. Dufur offered the following resolution:

H. J. R. No. 6: *Resolved*, By the House, the Senate concurring, that hereafter no moneys be paid out of the Treasury of this State to any person, unless such person shall first take an oath of allegiance to the Government of the United States.

On motion of Mr. Simpson, the resolution was laid on the table.

On motion, Mr. Wilcox was granted leave of absence until Monday morning.

On motion, Mr. Simpson was appointed on committee to revise fees of officers.

H. B. No. 11: A bill to provide for the purchasing of Reports of Supreme Courts of Oregon, was read second time and referred to Committee of the Whole.

H. B. No. 12: A bill for the relief of Westerfield, McAuliffe,* and Mansfield, was read second time, and ordered to third reading, to-morrow.

H. B. No. 14: A bill amending an Act, incorporating the city of Astoria, was read second time, and on motion, was referred to Committee on Corporations.

H. B. No. 22: A bill to change the name of Clatsop county, was read second time, and ordered to third reading, to-morrow.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Moores, Wasserman, Wilcox.

H. B. No. 1: A bill to amend the charter of the city of Jacksonville, was read third time.

The question being, shall the bill pass?

The yeas and nays being taken, resulted as follows:

Yeas—Messrs. Brown, Gillette, Kerns, McCully—4.

Nays—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Fay, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—26.

So the bill was lost.

H. B. No. 7: A bill to amend the charter of Oregon City, was read third time, and being upon its final passage, the yeas and nays resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—31.

Nays—Fay—1.

Mr. Haines moved to reconsider the vote by which H. B. No. 1 was lost.

Which motion was carried.

On motion, H. B. No. 1 was referred to Committee on Judiciary.

H. B. No. 17: Bill for the relief of B. F. Bonham, was read third time, and on motion of Mr. Simpson, was laid on the table.

Mr. Moores reported H. B. No. 3 correctly engrossed.

The report was accepted.

H. B. No. 3: Bill for the organization of Baker county, was read third time.

Mr. Humason moved to insert after the words "S. A. Clark," the name of "Alexander Gray" for Sheriff.

Which was carried.

Mr. Fay moved to strike out the name of "Baker" where it occurs and insert "Tenino."

The yeas and nays being demanded on the amendment of Mr. Fay, resulted as follows:

Yeas—Messrs. Fay, Gillette—2.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—30.

So the amendment was lost.

The bill was then put upon its final passage:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilson, Mr. Speaker—31.

Nays—Mr. Fay—1.

So the bill passed.

Mr. Gillette introduced

H. B. No. 31: A bill accepting donation of lands by Congress, for agricultural purposes.

Which was read first time.

Mr. Fay introduced

H. B. No. 32: A bill for filling vacancies in State offices, which was read first time.

Mr. Moores moved that the bill be rejected.

Which was lost by the following vote:

Yeas—Messrs. Collard, Engle, Hemenway, Mallory, Moores, McCully, Ramsby, Smith, Wilson, Watson—10.

H. J.—11.

Nays—Messrs. Applegate, Blair, Conyers, Cummins, Dufur, Fay, Gillette, Humason, Haines, Kerns, McClure, Minto, McCoy, Richardson, Reed, Stevenson, Simpson, Wilkins, Witham, Mr. Speaker—20.

On motion of Mr. Dufur, the bill was referred to the Committee on Judiciary.

On motion, the House adjourned.

FRIDAY, SEPTEMBER 19, 1862.

House met pursuant to adjournment.

Absent—Messrs. Humason, Wasserman, Wilcox, Wilson.

The journal of yesterday was read and approved.

Mr. Fay offered a petition from the citizens of Jackson county, asking for a charter for a "Bridge Company on Rogue River."

Which was referred to Committee on Corporations.

Mr. Collard, Chairman of Committee on Corporations, made the following report:

MR. SPEAKER: Your Committee to whom was referred H. B. No. 14, have had the same under consideration and beg leave to report the same back to the House, and recommend its passage.

F. A. COLLARD, *Chairman*.

On motion, the report was accepted.

Mr. Applegate Chairman of Committee on Military Affairs, made the following report:

On motion of Mr. Simpson, the report was adopted and one hundred copies ordered printed.

Mr. Moores gave notice that, on an early day, he would introduce a bill to amend an Act entitled "An Act to incorporate the city of Salem."

Mr. Moores offered the following resolution:

H. R. No. 17: *Resolved*, That the Committee on Judiciary be instructed to inquire into the expediency of creating a fund for the erection and support of an Asylum or Asylums, for the insane, deaf and dumb and blind.

On motion, the resolution was adopted.

Mr. Smith gave notice that, on some future day, he would introduce a bill for the relief of Alfred Allen.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. B. No. 7 herewith enclosed, and respectfully ask your concurrence.

S. A. CLARK, *Chief Clerk*.

Mr. Gillette gave notice that, on some future day, he would introduce a bill to prevent dissemination of treasonable sentiments and to forfeit the political rights of traitors.

Mr. Minto gave notice that, on some future day, he would introduce a bill appropriating money from the Treasury for the purchase of ammunition for the use of the State.

H. B. No. 8: A bill to incorporate the city of Auburn, was read second time.

Mr. Humason moved to amend section five, six and nine, also to change section nine to section ten.

Which was adopted.

Mr. Mallory moved to amend sections four, five and twelve, and to add section twenty-one.

Which was adopted.

Mr. Reed moved to amend section sixteen.

Which was adopted.

On motion of Mr. Humason, the bill was ordered engrossed, and ordered read third time, to-morrow.

H. B. No. 19: A bill to create a redemption fund, in Josephine county, was read second time.

Which, on motion, was referred to the Committee on Judiciary.

H. B. No. 25: A bill to provide for the safe keeping and treatment of the insane and idiotic, was read second time.

On motion of Mr. Simpson, the bill was referred to Committee of the Whole.

On motion of Mr. Humason, the House resolved itself into a Committee of the Whole.

Mr. Dufur in the Chair.

After some time spent therein, the Committee arose, and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration, H. B. No. 25, having made some progress therein, ask leave to set again.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Wasserman, Wilcox.

On motion of Mr. Simpson, the House resolved itself into a Committee of the Whole, to consider H. B. No. 25.

Mr. Dufur in the Chair.

After some time spent therein, the Committee arose, and the Chairman made the following report:

MR. SPEAKER: The Committee of the Whole have had under consideration, H. B. No. 25, beg leave to report the same back to the House with amendments.

On motion, the report was accepted.

On motion of Mr. Simpson, H. B. No. 25 was referred to Select Committee of three.

The Speaker appointed on said Committee, Messrs. Simpson, Moores, Wilcox.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate have passed H. B. No. 3, to organize Baker county.

S. A. CLARK, *Chief Clerk*.

Mr. Cummins moved to adjourn until Monday next.

Which was lost.

Mr. Stevenson introduced the following bill:

H. B. No. 33: A bill to change the name of Curry county.

Which was read first time.

Mr. Stevenson moved to adjourn until Monday morning, ten o'clock.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Cummins, Dufur, Engle, Fay, Humason, Kerns, Mallory, Ramsby, Stevenson, Simpson, Withan, Mr. Speaker—16.

Nays—Messrs. Conyers, Gillette, Haines, Hemenway, McClure, Minto, Moore, McCully, McCoy, Reed, Smith, Van Dyke, Wilkins, Wilson, Watson—15.

So the House adjourned.

MONDAY, SEPTEMBER 22, 1862.

House met pursuant to adjournment.

Absent—Mr. Ramsby.

The journal of Friday was read and approved.

Mr. Collard offered a petition from the citizens of Clackamas, asking for a change in the boundaries of the county.

Which, on motion, was referred to the members of Washington and Clackamas counties.

* * *

Mr. Humason offered a petition from the citizens of Wasco, asking for relief of that county.

Also, a petition from the County Commissioners of Wasco county, for the relief of the county.

Which, on motion, was referred to Committee on Ways and Means.

Mr. Moores, Chairman of Committee on Engrossed Bills, reported H. B's No. 2 and 8 correctly engrossed.

H. B. No. 20: An Act protecting persons traveling on highways, was read second time, and referred to Committee of the Whole.

H. B. No. 21: An Act regulating fees of County Judges, was read second time, and referred to Committee of the Whole.

S. B. No. 4: A substitute for H. B. No. 10, was read second time, and passed to its third reading.

H. B. No. 23: An Act declaring the Calapooia river a public highway, was read second time, and on motion, section two was stricken from the bill.

H. B. No. 24: An Act for the relief of school district, No. 16, of Josephine county.

Was read second time.

Mr. Mallory moved to strike out section two.

Which was lost.

M. Dufur moved to refer to Committee on Judiciary.

Which motion was lost.

Mr. Humason moved to amend by referring to Committee on Enrolled Bills, with instructions to report a general bill, if practicable.

Which was carried.

H. B. No. 27: An Act regulating the terms of county officers.

Was read second time, and referred to Committee on Ways and Means.

H. B. No. 28: An Act taxing Chinese, negroes and Kanakas, was read second time, and referred to a Special Committee of three.

Mr. Moores moved to reconsider the vote referring it.

Which was carried.

Mr. Moores moved to amend, by referring the bill to Committee on Claims.

Which was lost.

The question recurring upon the original motion, was lost.

On motion, the bill was referred to the Committee of the Whole.

H. B. No. 29: An Act regulating marriages.

Was read second time.

Mr. Stevenson moved to refer to Committee on Corporations.

Which was lost.

Mr. Blair moved to lay the bill on the table.

Which was lost.

Mr. Simpson moved to strike out the last two lines in section two.

Which was lost.

Mr. Conyers moved to strike out section thirteen.

Carried.

Mr. Mallory moved to amend the title, by saying, "a bill to regulate marriages."

Mr. Fay moved to amend section four.

Which was lost.

Mr. Conyers moved to refer to a Select Committee of three.

Which was lost.

Mr. Gillette moved to refer to Committee of the Whole.

Which was carried.

S. B. No. 7: A bill to prescribe certain conditions upon which moneys shall be drawn from the State Treasury.

Was read second time.

Mr. Fay moved to lay on the table, and print fifty copies.

Which was lost.

On motion, the rules were suspended and read a second time, as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Dufur, Humason, Haines, Hemenway, Kerns, Mallory, McClure, McCully, McCoy, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Wilson, Watson—21.

Nays—Messrs. Blair, Brown, Engle, Fay, Minto, Moores, Reed, Wasserman, Witham, Mr. Speaker—10.

So the bill was read third time.

Mr. Fay moved to amend the first section by striking out the words "take and subscribe before the Secretary of State, or other proper officer, an oath or affirmation," and insert the words "make, subscribe and file in the office of Secretary of State, a certificate, pledging his sacred honor."

Further, to amend, by striking out all of section first after the words "enemies, foreign and domestic."

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Blair, Conyers, Haines, McClure, Ramsby, Richardson, Van Dyke, Wilson—9.

The question upon the first amendment offered by Mr. Fay to S. B. No. 7, the yeas and nays being demanded was as follows:

Yeas—Mr. Fay—1.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—31.

So the amendment was lost.

The question being upon the second amendment offered by Mr. Fay, the yeas and nays being demanded, was as follows:

Yeas—Messrs. Blair, Brown, Humason, Haines, Mallory, Minto, Moores, Reed, Smith, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson—15.

Nays—Messrs. Applegate, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, McClure, McCully, McCoy, Richardson, Stevenson, Simpson, Wilson, Mr. Speaker—17.

So the motion was lost.

Mr. Humason moved to refer to Special Committee of three.

Which motion was lost.

Mr. Mallory moved to amend by inserting the enacting clause, "Be it enacted by the Legislative Assembly of the State of Oregon."

Which motion was adopted.

The question being, shall the bill pass, resulted as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McCully, McClure, McCoy, Richardson, Smith, Stevenson, Simpson, Wasserman, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—23.

Nays—Messrs. Blair, Brown, Fay, Humason, Haines, Minto, Moores, Reed, Van Dyke, Witham—10.

So the bill passed.

Mr. Fay offered the following protest:

The undersigned, a member of the House of Representatives, State of Oregon, from the county of Josephine, hereby

H. J.—12.

...

protests against the passage, by the House, of S. B. No. 7, entitled "An Act to proscribe certain conditions upon which moneys shall be drawn from the State Treasury," for the following reasons, to wit:

1. That said proposed Act creates a species of Star Chamber tribunal, unknown to our Constitution and laws, for the trial of the loyalty of suspected persons, and deprive such persons of the benefits of trial by jury, in contravention of section two of article third of the Constitution of the United States, and article sixth of the amendments of the same, and to section seventeen of article first of the Constitution of the State of Oregon.

2. That a citizen, against whom charges affecting his loyalty are not exhibited in a tangible shape, but rest upon bare rumor or suspicion, is required to take a course unusual, inconvenient and expensive, in order to prove himself loyal, thereby reversing a fundamental maxim of the common law, to wit: "That a citizen shall be deemed innocent until the contrary is proven."

3. That no definition of the word disloyal person is given in said proposed Act, but it is left entirely discretionary with said Secretary of State, to discriminate between who are and who are not loyal, thereby contravening section three of article three of the Constitution of the United States, and section twenty-six of article one of the State of Oregon, and of section eight of said last named article.

4. That no provision is made for appeals from the decision of said Secretary of State.

5. That no limits are placed to the powers of said Secretary in the adduction of additional proof of a suspected person's loyalty, after said person shall have taken the oath required.

JAMES D. FAY, of *Josephine County*.

SALEM, Oregon, September 22, 1862.

Mr. Cummins, Chairman of Committee on Enrolled Bills, made the following report:

MR. SPEAKER: Your Committee on Enrolled Bills, to whom was referred H. B. No. 3, beg leave to report the same correctly enrolled.

JOHN CUMMINS, *Chairman*.

The Speaker then announced that he had signed H. B. No. 3, a bill to organize Baker county.

Mr. Simpson, Chairman of Committee to whom was referred H. B. No. 25, made the following report :

The Committee to whom was referred H. B. No. 25, report that we have had the same under consideration, and herewith return it with the accompanying amendments, and recommend their adoption.

On motion, the report was adopted and bill ordered engrossed.

Mr. Mallory, Chairman of Committee on Judiciary, made the following report :

MR. SPEAKER: The Judiciary Committee to whom was referred H. B. No. 19, report the same back to the House, and recommend that it be indefinitely postponed.

R. MALLORY, *Chairman*.

On motion, the report was adopted.

The following message was received from the Senate :

MR. SPEAKER: I am instructed to inform you that the Senate has passed the accompanying bills:

S. B. No. 2.

S. B. No. 3.

S. B. No. 6.

And would respectfully ask your concurrence therein.

S. A. CLARK, *Chief Clerk*.

On motion, the House adjourned until half past 7 o'clock.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Ramsby, Reed, Stevenson.

H. B. No. 18: An Act accepting donation of land by Congress, was read second time, and passed to third reading.

H. B. No. 12: An Act for the relief of Westerfield, McCauliffe, and Mansfield, was read third time.

The question being upon its final passage, resulted as follows:

* * *

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—32.

Nays—None.

So the bill passed.

H. B. No. 14: An Act supplemental to an Act, incorporating the town of Astoria.

Was read third time.

Mr. Collard moved to strike out the word "passage," and insert "approved by the Governor."

Which was adopted.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Wilcox, Watson, Mr. Speaker—32.

Nays—None.

So the bill passed.

H. B. No. 22: An Act to change the name of Clatsop county.

Was read third time.

Mr. Humason moved that the bill be indefinitely postponed.

Which was lost.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson,

Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilson, Wilkins, Wilcox, Watson, Mr. Speaker—27.

Nays—Messrs. Blair, Fay, Humason, Haines, Witham—5.

So the bill passed.

H. B. No. 2: An Act to organize Umatilla county.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Messrs. Blair, Fay, Simpson, Witham—4.

So the bill passed.

H. B. No. 8: An Act to incorporate the town of Auburn.
Was read third time.

Mr. Mallory moved to insert the word "per annum" after the word "cent," in section six.

Which was adopted.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—32.

Nays—None.

So the bill passed.

H. B. No. 15: An Act to encourage the cultivation of oysters.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, McCully, Moores, McCoy, Richardson, Smith, Stevenson, Simpson, Van Dyke Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—32.

Nays—None.

So the bill passed.

Mr. Haines offered the following bill:

H. B. No. 34: An Act for the relief of David Linn.

Which was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, Moores, Minto, McClure, McCully, McCoy, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson—25.

Nays—Messrs. Cummins, Dufur, Engle, Fay, Wilson, Mr. Speaker—6.

So the bill was read second time.

On motion of Mr. Stevenson, the bill was referred to a Special Committee of three.

The Speaker appointed as said committee, Messrs. Stevenson, Haines, Fay.

Mr. Humason introduced the following bill:

H. B. No. 35: An Act to increase the number of Justices of Supreme Court, and to form a new Judicial District.

Which was read first time.

Mr. Humason also introduced the following bill:

H. B. No. 36: An Act to increase the salary of Supreme Judges.

Which was read first time.

Mr. Haines introduced the following bill:

II. B. No. 37: An Act to regulate the rights of miners and farmers in mining districts.

Which was read first time.

Mr. Humason offered the following resolution:

H. J. R.: *Resolved*, By the House, the Senate concurring, that J. M. Kirkpatrick be permitted to take his seat in the House of Representatives, as a member thereof.

Mr. Haines moved to refer to Committee on Judiciary.

Which motion was lost.

Mr. Wasserman moved to make the resolution the special order of the day at 11 o'clock to-morrow.

Which motion was carried.

Mr. Dufur introduced the following bill:

II. B. No. 38: An Act for the preservation of game.

Which was read first time.

Mr. Hemenway moved to lay the bill upon the table.

Which motion was lost.

Mr. Mallory moved to reject the bill.

Which motion was lost.

On motion the House adjourned until the usual hour to-morrow morning.

TUESDAY, SEPTEMBER 23, 1862.

House met pursuant to adjournment.

Absent—Mr. Ramsby.

The journal of yesterday was read and approved.

Mr. McClure offered a petition from the citizens of Lane county, asking for a Usury Law.

Which was referred to Committee on Judiciary.

Mr. Wilkins offered a petition from the citizens of Lane county, in behalf of Felix Scott.

Which was referred to Committee on Corporations.

The Committee on Ways and Means, made the following report:

[The Clerk had apparently *pasted* the report referred to, upon the page of his journal, but it got off and was lost before coming into the hands of the printer.]

On motion, the report was laid on the table.

Mr. Brown, Chairman Committee on Ways and Means, made the following report:

MR. SPEAKER: Your committee to whom was referred H. B. No. 27, have had the same under consideration, and beg leave to report the same back, and recommend that it pass.

H. M. BROWN, *Chairman*.

Which was adopted.

On motion, leave of absence was granted to Mr. Ramsby until to-morrow morning.

Mr. Wasserman gave notice that, on some future day, he would introduce an Act to amend an Act, entitled "An Act, to incorporate the city of Portland.

Also, an Act to provide for building bridges.

Also, an Act to encourage the culture of tobacco.

Mr. Dufur introduced the following bill:

H. B. No. 39: An Act to aid the State Agricultural Society.

Which was read first time.

Mr. Fay gave notice that, on an early day, he would introduce a bill to amend an Act, entitled "An Act, concerning the liens of mechanics, laborers, and others.

Mr. Smith gave notice that, on an early day, he would introduce a bill, making the Sheriffs of the different counties

in this State, collectors of State and county revenues; and, also, to pay over all county orders received by them, subject to the County Commissioners' Court.

Mr. Smith introduced the following bill:

H. B. No. 40: An Act for the relief of Alfred Allen.

Which was read first time.

Mr. Humason offered the following bill:

H. B. No. 41: An Act to incorporate Dalles City.

Which was read first time.

Mr. Wasserman moved that there be a standing committee on agriculture and mining.

Mr. Collard introduced the following bill:

H. B. No. 42: An Act regulating the time of the session of the Legislature.

Which was read first time.

H. B. No. 30: An Act to regulate the salary of the County Judge of Columbia county, was read second time and referred to Special Committee of Three.

The Speaker appointed on said Committee, Messrs. Conyers, Gillette and Blair.

H. B. No. 33: An Act to change the name of Curry county, was read second time.

H. B. No. 18: An Act accepting donation of land from Congress, was read third time and referred to Committee on Education.

Mr. Moores, Chairman of Committee on enrolled Bills, reported H. B. No. 25 as correctly engrossed.

H. B. No. 25: An Act to provide for the safe keeping and treatment of the insane and idiotic, was read third time.

Mr. Stevenson offered a substitute to section four.

Which was lost.

The time having arrived to take into consideration H. J. R. No. 8, in relation to the admission of Mr. Kirpatrick to a seat in the House, was waived for the consideration of H. B. No. 25.

H. J.—13.

The yeas and nays being demanded upon the substitute offered by Mr. Stevenson to section four of H. B. No. 25, resulted as follows :

Yeas—Messrs. Fay, Haines, Kearns, McCoy, Stevenson, Wasserman—6.

Nays—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Hemenway, Mallory, McClure, Minto, Moores, McCully, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—26.

So the substitute was lost.

Mr. Kerns offered an amendment by adding a clause to section four.

Which amendment was lost.

Mr. McCully moved to recommit to Committee on Engrossed Bills.

Which was lost.

Mr. Collard moved to amend section three.

Which was adopted.

The question being upon the passage of the bill resulted as follows :

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

By leave of the House Mr. Humason withdrew H. J. R. No. 8, and offered in its stead

H. B. No. 43: An Act to legalize the election of J. M. Kirkpatrick, which was read first time.

Mr. Mallory moved to indefinitely postpone the bill.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Ramsby, Reed.

The question being upon indefinitely postponing H. B. No. 43, a bill to legalize the election of Mr. Kirkpatrick.

On motion of Mr. Dufur, the House made 10 o'clock to-morrow morning the special hour for the further consideration of the bill.

On motion, the House adjourned.

WEDNESDAY, SEPTEMBER 24, 1862.

House met pursuant to adjournment,

Absent—Messrs. Applegate, Haines, Kerns, Simpson, Wilson.

The journal of yesterday was read and approved.

Mr. Minte offered a memorial.

Which was laid upon the table.

Mr. Humason offered a memorial in relation to the establishment of an overland mail.

Which on motion, was referred to Committee on Federal Relations.

On motion, leave of absence was granted Mr. Applegate.

Mr. Stevenson offered the following resolution :

Resolved, That J. M. Kirkpatrick be admitted to a seat within the bar of this House, for the purpose of presenting his claims to a seat herein, and that he have the privilege

of speaking in relation thereto, the same as members of this body, during the time the question of his admission shall be under consideration.

On motion of Mr. Moores, a call of the House was ordered.

Absent—Messrs. Engle, Fay, Wilcox.

The Sergeant-at-Arms, was ordered to bring in the absentees.

On motion, a farther call of the House was dispensed with.

The resolution was then adopted.

Mr. Mallory presented a petition from the citizens of Douglas county asking for a Usury Law.

Which was referred to Committee on Judiciary.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has concurred in House amendment to S. B. No. 7.
S. A. CLARK, *Chief Clerk*.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate have this day passed S. B. No. 10, an Act to accept lands granted by the Government for agricultural colleges, and would ask your concurrence in the same.
S. A. CLARK, *Chief Clerk*.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate have passed S. J. R. No. 2, relative to a mail from Jacksonville to Crescent City, Del Norte county, California, and would ask your concurrence therein.
S. A. CLARK, *Chief Clerk*.

S. B. No. 4: A substitute to H. B. No. 10, An Act to provide for the payment of contingent expenses of the members of the Legislative Assembly.

Was read third time.

The question being, shall the bill pass, resulted as follows :

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Engle, Gillette, Humason, Hemenway, Kerns, Mallory, McClure, Moores, McCoy, Ramsby, Richardson, Reed, Stevenson, Simpson, Smith, Wasserman, Witham, Wilcox, Wilson, Watson, Mr Speaker—26.

Nays—Messrs. Dufur, Fay, Haines, Minto, McCully, Van Dyke, Wilkins—7.

So the bill passed.

H. B. No. 23 : An Act declaring the Calapooia a public highway.

Was read third time.

Mr. Smith offered a substitute to section two.

Which was adopted.

Mr. Mallory moved to insert the word "river" after the word "Calapooia,"

Which was adopted.

The question being upon the final passage of the bill, was as follows :

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

H. B. No. 27 : An Act to regulate terms of county officers.

Was read third time.

The question being upon the final passage of the bill, resulted as follows :

Yeas—Messrs. Blair, Brown, Collard, Conyers, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Wasserman, Wilkins, Watson, Mr. Speaker—24.

Nays—Messrs. Cummins, Fay, Haines, Moores, Van Dyke, Witham, Wilcox, Wilson—8.

So the bill passed.

On motion of Mr. Mallory, the title was amended by inserting the words "entitled an Act," after the word Act.

H. B. No. 33: An Act to change the name of Curry county.

Was read third time.

Mr. Fay moved to amend, by striking out the word "Lyon," and insert the word "Tichenor."

The time having arrived to take into consideration, H. B. No. 43, an Act to legalize the election of J. M. Kirkpatrick.

The question being upon the indefinite postponement of the bill, the yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Blair, Cummins, Dufur, Engle, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—19.

Nays—Messrs. Brown, Collard, Conyers, Fay, Gillette, Humason, Haines, Kerns, Ramsby, Reed, Smith, Stevenson, Wasserman, Wilson—14.

So the bill was indefinitely postponed.

Mr. Stevenson offered the following resolution:

Resolved, That J. M. Kirkpatrick be, and he is hereby admitted to a seat in the House, as a member thereof, to represent the County of Baker.

Mr. Fay moved to lay the resolution upon the table.

Which motion was lost.

Mr. Dufur moved to adopt the resolution.

Mr. Stevenson moved that the main question be now put.

Which motion was lost.

Mr. Humason moved to postpone the resolution until Monday, September 29th, at 10 o'clock, A. M.

Which motion was lost.

The question being upon the adoption of the resolution, the yeas and nays being demanded, resulted as follows.

Yeas—None.

Nays—Messrs. Blair, Brown, Collard, Conyers, Cummins,

Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—33.

So the resolution was lost.

The question recurring upon Mr. Fay's amendment to H. B. No. 33, was lost.

The question then recurring upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilson, Watson—23.

Nays—Messrs. Blair, Fay, Humason, Haines, Mallory, Moores, Reed, Witham, Wilcox, Mr. Speaker—10.

So the bill passed.

On motion, the special message of the Governor was taken up for consideration.

On motion of Mr. Humason, that portion of the message relating to the Code was referred to the Committee on Judiciary.

Mr. Dufur moved, that that portion of the message relating to the Penitentiary, be referred to a Special Committee, consisting of two members from the House and one from the Senate, who shall go and inspect the Penitentiary.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Gillette, Humason, Kerns, Minto, Wilcox.

The question being on referring that part of the Governor's message, relating to the Penitentiary.

Mr. Dufur offered the following resolution as a substitute:

H. R. No. 19: *Resolved*, That so much of the Governor's message as relates to the affairs of the Penitentiary, be referred to a Committee of three, to act with a similar Committee appointed by the Senate.

Which resolution was adopted.

The Speaker appointed on said Committee, Messrs. Dufur, Humason, Smith.

Mr. Humason offered the following resolution :

H. J. R. No. 8: *Resolved*, By the House, the Senate concurring, that a Committee of two be appointed on the part of the House, to act with a Committee of one, on the part of the Senate, which together, shall act with the Governor to examine and inquire into the selection of a site to relocate the Penitentiary, and report to this House, at an early day, the result of their examination, and also such propositions as they may receive in relation to land and other materials, for the site and construction of the State Penitentiary.

Mr. Humason moved to refer to Committee already appointed.

Mr. Fay offered an amendment.

Which was lost.

The question then recurring upon referring the resolution.

Was lost.

Mr. — moved to adopt the resolution.

Which was lost.

Mr. Fay moved to reconsider the vote by which the resolution was lost.

Which was carried.

The question being upon the adoption of the resolution.

Mr. Dufur moved to lay it upon table.

Which was lost.

Mr. Fay offered another amendment.

Which was lost.

The question being on the adoption of the resolution.

Was carried.

The Speaker appointed on the Committee, Messrs. Humason, Watson.

Mr. Moores moved that the portion of the Governor's message relating to agriculture, be referred to Committee on Agriculture.

Which was carried.

Mr. Fay moved that the portion of the Governor's message relating to corporations, be referred to Committee on Corporations.

Which was carried.

On motion of Mr. Mallory, that portion of the Governor's message relating to counties, was referred to Committee on Counties.

On motion of Mr. Fay, that portion of the Governor's message relating to education, was referred to Committee on Education.

It was moved, that the Committee on Agriculture and Mining Interest, consist of five.

The Speaker appointed on said committee, Messrs. Stevenson, Blair, Brown, Haines, Simpson.

On motion of Mr. Reed, that part of the Governor's message relating to escheats, was referred to Committee on Judiciary.

On motion of Mr. Moores, that portion of the Governor's message relating to the militia, was referred to Committee on Federal Relations.

On motion of Mr. Dufur, that portion of the Governor's message relating to voting, was referred to Committee on Elections.

On motion of Mr. Fay, Governor Whiteaker's Message was taken up for consideration.

On motion of Mr. Fay, that portion of the message relating to recruiting, was referred to Committee on Claims.

On motion of Mr. Fay, that portion of the message re-

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lating to Library and Treasury Department, was referred to Committee on Ways and Means.

On motion of Mr. Fay, that portion of the message relating to the tenure of the office of the Governor, was referred to Select Committee of three.

Said Committee consisting of Messrs Fay, Humason and Minto.

The following message was received from the Senate :

MR. SPEAKER: I am instructed to inform you that the Senate has failed to concur in H. B. No. 7, "to amend the charter of Oregon City," which is herewith returned.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate :

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. J. R. No. 4, which is herewith enclosed, and would respectfully ask your concurrence therein.

S. A. CLARK, *Chief Clerk.*

On motion, the House concurred in S. J. R. No. 2.

On motion, the House concurred in S. J. R. No. 4.

S. B. No. 2: An Act to increase the jurisdiction of Justices of the Peace.

Was read first time.

S. B. No. 3: An Act to change the name of Lane county.

Was read first time.

S. B. No. 6: An Act to provide for the payment of the direct tax.

Was read first time.

S. B. No. 10: An Act to accept the donation of public lands by Congress, for establishing agricultural colleges.

Was read first time.

By leave of the House, Mr. Fay introduced the following bill:

H. B. No. 44: An Act to change the time of holding the Circuit Court of the First Judicial District.

Which was read first time and referred to Special Committee, consisting of Messrs. Fay, Haines, Mallory.

Mr. Simpson gave notice that on to-morrow he would offer an amendment to the forty-second rule.

Mr. Wasserman introduced the following bills :

H. B. No. 45: An Act to amend the charter of the city of Portland.

Which was read first time. Also,

H. B. No. 46: An Act to provide for the building of bridges.

Which was read first time. Also,

H. B. No. 47: An Act to encourage the cultivation of tobacco.

Which was read first time.

On motion, the House adjourned.

THURSDAY, SEPTEMBER 25, 1862.

House met pursuant to adjournment.

Absent—Messrs. Blair, Conyers, Hemenway, Smith, Reed, Simpson, Wilcox, Wilson.

The journal of yesterday was read and approved.

Mr. Collard, Chairman of Committee to whom was referred petition of citizens of Clackamas county in relation to changing the county line, made the following report:

Your Committee to whom was referred a petition from the citizens of Clackamas county, asking that section twelve, township three, south, range west, be attached to Clacka-

mas county, have had the same under consideration, and ask leave to report by bill.

F. A. COLLARD, *Chairman*.

H. B. No. 48: An Act changing the limits of Clackamas county.

Was read first time.

Mr. Mallory gave notice that, on some future day, he would introduce a bill for the relief of Douglas county.

S. B. No. 2: An Act to increase Jurisdiction of Justices of the Peace.

Was read second time.

Mr. Dufur moved to amend by striking out two hundred and fifty dollars and insert five hundred dollars.

Mr. Fay moved to lay on the table.

Which was lost.

Mr. Fay moved to strike out two hundred and fifty dollars and insert fifty dollars.

Mr. Reed moved to lay upon the table.

Which was carried.

S. B. No. 3: An Act to change the name of Lane county.

Was read second time.

On motion of Mr. Wilkins, the bill was referred to a Committee of two,

The Speaker appointed on said Committee, Messrs. Wilkins, Blair.

S. B. No. 6: An Act to provide for the payment of the direct tax.

Was read second time.

Mr. Moores moved to amend by striking out after the word "of" in section one in the second line, to the word "be" in the same line, and insert thirty-five thousand one hundred and forty and two-thirds dollars.

The yeas and nays being demanded upon the adoption of the amendment, resulted as follows:

Yeas—Messrs. Blair, Brown, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Witham, Wilcox, Watson, Mr. Speaker—26.

Nays—Messrs. Collard, Fay, Hemenway, McCully, Simpson, Wilkins—6.

So the amendment was adopted.

Mr. Moores moved to amend section two, by striking out all after the words "sum of" in third line, to the word "shall" in the fourth line, and insert "twenty-five thousand one hundred and forty and two-thirds dollars."

Which was carried.

Mr. Moores moved to amend section two by adding the following: "And that the Treasurer of State shall pay the amount, hereby appropriated, in coin."

The yeas and nays being demanded upon the amendment, resulted as follows:

Yeas—Messrs. Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, Minto, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Watson, Mr. Speaker—23.

Nays—Messrs. Blair, Brown, Collard, Fay, Humason, Haines, McCully, McCoy, Wilkins—9.

So the amendment was adopted.

S. B. No. 10: An Act accepting the donation by Congress of lands for agricultural colleges.

Was read a second time.

On motion of Mr. Gillette, the bill was referred to Committee on Education.

The following message was received from the Senate:

Mr. SPEAKER: I am instructed to inform you that the Senate has passed the following bills:

H. B. No. 15.

H. B. No. 2.

H. B. No. 25.

All of which are herewith returned.

S. A. CLARK, *Chief Clerk.*

On motion of Mr. Simpson, H. B. No. 17, a bill for the relief of B. F. Bonham, was taken from the table.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Dufur, Engle, Fay, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Reed, Smith, Simpson, Van Dyke, Wasserman, Witham, Watson, Mr. Speaker—23.

Nays—Messrs. Conyers, Cummins, Hemenway, McCully, Richardson, Stevenson—6.

So the bill passed.

On motion of Mr. Minto, the memorial offered by him on yesterday, was taken from the table.

Mr. Minto moved that fifty copies be printed.

On motion of Mr. Moores, the memorial was referred to Committee on Federal Relations.

On motion of Mr. Fay, the House resolved itself into a Committee of the Whole.

Mr. Gillette in the Chair.

After some time spent therein, the Committee arose and made the following report:

Mr. SPEAKER: The Committee having had under consideration H. B. No. 5, an Act to tax dogs, beg leave to report the same back to the House with amendments.

On motion of Mr. Minto, the bill was referred to a Select Committee of three.

The Speaker appointed on said committee, Messrs. Minto, Blair, McCully.

On motion of Mr. Simpson, the report of the Committee on Ways and Means, in relation to the State Library, was taken from the table.

On motion of Mr. Simpson, the report was referred to the Committee on Ways and Means.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Haines, McCully, Stevenson, Van Dyke, Wilcox.

On motion of Mr. Moores, Mr. McCully was granted leave of absence until Monday next.

On motion of Mr. Fay, the Senate memorial relating to a Branch Mint, was taken from the table.

Mr. Humason moved to strike out the word "justice," and insert "convenience."

Which was carried.

Mr. Fay moved that the memorial be adopted.

Mr. Humason moved to refer to a Special Committee of three.

Upon which the yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Blair, Collard, Gillette, Humason, Kerns, Witham—6.

Nays—Messrs. Brown, Conyers, Cummins, Dufur, Engle, Fay, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—25.

So the motion to refer was lost."

The question recurring upon the adoption of the memorial, the yeas and nays being demanded, resulted as follows

Yeas—Messrs. Conyers, Engle, Fay, Haines, Hemenway, Kerns, Moores, McCoy, Ramsby, Richardson, Reed, Simpson, Van Dyke, Wasserman, Wilcox, Wilson, Mr. Speaker—18.

Nays—Messrs. Blair, Brown, Collard, Cummins, Gillette, Humason, Mallory, McClure, Minto, Smith, Wilkins, Witham, Watson—13.

So the House concurred in the memorial.

Mr. Moores offered the following resolution:

H. R. No. 20: *Resolved*, That the Secretary of State be requested to investigate the matter and ascertain if any funds were appropriated by Congress, which are yet unexpended (for the erection of public buildings in the late Territory of Oregon), and if so, what amount, and in whose hands, and in what condition are such funds at this time, and that he be requested to make an early report to this House.

On motion, the resolution was adopted.

Mr. Cummins, Chairman of Committee on Enrolled Bills, reported H. B's No. 2, 15 and 25, as correctly enrolled.

The Speaker announced that he had signed H. Bs. Nos. 2, 15 and 25.

Also, Senate memorial No. 1.

Also, H. J. R. No. 5, being also a memorial to Congress.

On motion of Mr. Reed, the House resolved itself into a Committee of the Whole.

Mr. Reed in the Chair.

After some time spent therein, the Committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration H. B. No. 11, beg leave to report the same back with amendments.

Also, that they have had under consideration H. B. No. 20, a bill to prevent accidents on highways.

Also, H. B. No. 21, a bill to regulate fees of County Judge of Jackson county, beg leave to report them back to the House, and recommend that they be indefinitely postponed.

The report was accepted.

The following message was received from the Senate :

MR. PRESIDENT : I am instructed by the President of the Senate to inform you that he signed House bills, as follows :

H. B. No. 2.

H. B. No. 15.

H. B. No. 25.

Which is herewith transmitted.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate :

MR. SPEAKER : I am instructed to inform you that the Senate has passed H. B. No. 8, to incorporate the city of Auburn, with the following amendments :

First, Strike out all of section fifth after the word offices.

Second, Strike out the sections eighteen and nineteen.

Your concurrence is requested.

S. A. CLARK, *Chief Clerk.*

Mr. Stevenson, Chairman of Committee to whom was referred H. B. No. 34, a bill for the relief of David Linn, made the following report :

Your Committee to whom was referred H. B. No. 34, beg leave to report by offering the accompanying bills, with the recommendation that they do pass.

A. STEVENSON, *Chairman.*

On motion, the House adjourned..

FRIDAY, SEPTEMBER 26, 1862,

House met pursuant to adjournment.

Absent—Messrs. Cummins, Humason, Moores.

The journal of yesterday was read and approved.

The following communication was received from the Secretary of State.

OFFICE OF THE SECRETARY OF STATE, }
SALEM, OREGON, Sept. 26, 1862. }

To the Speaker of the House of Representatives :

Your resolution, No. 20, requesting of this office information in regard to the funds appropriated for the erection of a State House, in the late Territory of Oregon, and the amount unexpended, and in whose hands the same are at present, has been received.

In answer, have to say that there remained unexpended, March 16, 1858, the sum of \$1,444 26, which was transferred to the Depository, at Oregon City, by order of the Treasury Department of the United States, and the amount still remains in said Department.

SAM'L E. MAY, *Secretary of State.*

By CHESTER N. TERRY, *Assistant Secretary of State.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has failed to concur in H. B. No. 22, to change the name of Clatsop county, which is herewith returned.

S. A. CLARK, *Chief Clerk.*

Mr. Richardson, Chairman of Committee on Education, made the following report;

MR. SPEAKER: The Committee on Education, to whom was referred H. B. No. 18, also S. B. No. 10, have had the same under consideration, and beg leave to report,—having compared them together, would respectfully report S. B. No. 10 back to the House without amendment, and ask your concurrence.

G. W. RICHARDSON, *Chairman.*

The report was adopted.

Mr. Mallory, Chairman of Committee on Judiciary, made the following report:

MR. SPEAKER: The Judiciary Committee to whom was referred H. B. No. 32, beg leave to report the same back to the House, and recommend that it be indefinitely postponed.

R. MALLORY, *Chairman.*

The yeas and nays being demanded upon the adoption of the report, resulted as follows:

Yeas—Messrs. Blair, Collard, Cummins, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Witham, Watson, Mr. Speaker—19.

Nays—Messrs. Applegate, Brown, Conyers, Engle, Fay, Gillette, Hemenway, McCoy, Stevenson, Wasserman, Wilkins, Wilson—12.

So the report was adopted.

Mr. Cummins, Chairman of Committee, to whom was referred H. B. No. 24, made the following report:

MR. SPEAKER: The Committee on Enrolled Bills, to whom was referred H. B. No. 24, for the relief of school district No. 16, Josephine county, with special instructions, beg leave to report the same back to the House, with the recommendation that it do pass.

JOHN CUMMINS, *Chairman.*

Mr. Wilkins, Chairman of committee, to whom was referred H. B., relating to salaries of County Judges, made the following report:

MR. SPEAKER: Your committee to whom was referred H. B., relating to salaries of County Judges, beg leave to report that they have had the same under consideration, and herewith transmit a bill, regulating said salaries, with a recommendation that it be adopted in lieu of the special bill referred to your committee.

M. WILKINS, *Chairman.*

The report was adopted.

Mr. Engle, Chairman of Committee, to whom was referred S. B. No. 5, a bill for the relief of Theodore Burmester, made the following report:

MR. SPEAKER: The Select Committee to whom was referred a bill for the relief of Theodore Burmester, report the same back to the House, without amendment, and recommend its passage.

JOSEPH ENGLE, *Chairman.*

On motion, the report was adopted.

Mr. Moores offered the following resolution:

H. J. R. No. 9: *Resolved*, By the House, the Senate concurring, That a Joint Committee, consisting of two members from the House, and one from the Senate, be appointed to report a bill re-apportioning the Senators and Representatives of the State.

On motion, the resolution was adopted.

The Speaker appointed on said committee Messrs.

[Here the Clerk inadvertently left the names of the committee out.—PRINTER.]

Mr. Collard gave notice that, on some future day, he would introduce a bill, entitled "An Act, to amend an Act, entitled an Act to incorporate the Clackamas River Bridge Company."

Mr. Simpson offered the following resolution:

Resolved, That the report of the Code Commissioners, and bills printed by order of this House, may be read first and second time by title, unless two or more members shall require the reading by section.

The resolution was lost.

H. B. No. 36: An Act to increase the salaries of Justices of the Supreme Court.

Was read second time.

Mr. Moores moved to lay upon the table.

Which was carried.

H. B. No. 40: An Act for the relief of Alfred Allen.

Was read second time.

H. B. No. 42: An Act changing the time of session of the Legislature.

Was read second time.

Mr. Simpson moved to amend by saying first Monday in September.

Which was lost.

Mr. Van Dyke moved to amend by saying first Monday in October.

Which was adopted.

Mr. Reed moved to amend the title of the bill.

Which was carried.

Mr. Stevenson moved to strike out 1864 and insert 1964.

Which was lost.

H. B. No. 39: An Act to aid the Agricultural Society.

Was read second time.

On motion of Mr. Minto, the bill was referred to Committee on Ways and Means.

S. B. No. 10: An Act accepting donations of land by Congress for Agricultural Society.

Was read third time and passed, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—28.

Nays—None.

So the bill passed.

H. B. No. 34: An Act for the relief of David Linn.

Was read third time and passed by the following vote:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed,

Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—29.

Nays—Mr. Brown—1.

So the bill passed.

H. B. No. 24: An Act for the relief of School District No. 16.

Which was read third time and passed, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufar, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, McCoy, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

S. B. No. 5: An Act for the relief of Theodore Burmester.

Was read third time.

Mr. Stevenson moved to amend by striking out seventy dollars and insert fifty-nine dollars.

The yeas and nays being demanded on the amendment, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufar, Gillette, Haines, Hemenway, Kerns, Mallory, McClure, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—25.

Nays—Messrs. Engle, Fay, Humason, Minto, Moores, Reed, Wasserman—7.

So the amendment was adopted.

The question recurring upon the final passage of the bill resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Dufur, Engle, Fay, Gillette, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—Messrs. Collard, Conyers, Cummins, Hemenway, Richardson, Stevenson, Wilson—7.

So the bill passed.

S. B. No. 6: An Act to provide for the payment of direct tax.

Was read third time and passed as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—31.

Nays—Mr. Fay—1.

So the bill passed.

H. B. No. 36: An Act to increase the salary of Justices of the Supreme Court.

Was taken from the table.

Mr. Gillette, Speaker *pro tem*.

Mr. Palmer offered amendments requiring attorneys to obtain licenses to practice in the several courts of the State.

Mr. Simpson moved to adopt the amendments.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Humason, McClure.

The question being upon the adoption of the amendments offered by Mr. Palmer.

A call of the House was ordered.

Absent—Messrs. McCoy, Wilcox.

The yeas and nays being demanded upon the adoption of the resolution, resulted as follows:

Yeas—Messrs. Fay, Humason, Haines, Mallory, Stevenson, Simpson, Mr. Speaker—7.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, McClure, Minto, Moores, Ramsby, Richardson, Reed, Smith, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson—24.

So the amendment was lost.

Mr. Dufur moved to indefinitely postpone the bill.

Mr. Simpson moved to lay upon the table.

Which was carried.

Mr. Ramsby introduced the following bill:

H. B. No. 50: An Act to provide the sale of university lands.

Which was read first time.

Mr. Haines introduced the following bill:

H. B. No. 51: An Act to secure the right of way to Thomas Chavner, for a bridge on Rogue River.

Which was read first time.

On motion of Mr. Fay, was referred to Committee on Judiciary.

Mr. Stevenson introduced the following bill:

H. B. No. 52: An Act for the relief of H. Camman.

Which was read first time and ordered not to be printed.

Mr. Stevenson offered the following bill:

H. B. No. 53: An Act for the relief of H. G. Blake.

Which was read first time and ordered not to be printed.

Mr. Mallory introduced the following bill:

H. B. No. 54: An Act for the relief of John Fullerton.

Which was read first time and ordered not to be printed.

Mr. Simpson introduced the following bill:

H. B. No. 55: An Act to prevent the introduction of diseased animals.

Which was read first time.

H. B. No. 8: An Act to incorporate the city of Auburn, was taken up, and on motion of Mr. Humason, the amendments offered by the Senate, were concurred in.

On motion, the House adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Fay, Richardson.

H. B. No. 35: An Act to increase the number of Justices of the Supreme Court, and create a Fifth Judicial District, was read second time, and ordered engrossed, to be read third time to-morrow.

H. B. No. 37: An Act to regulate the rights of miners and farmers in mining districts. Was read second time and ordered engrossed, to be read a third time to-morrow.

On motion of Mr. Mallory, the House resolved itself into a Committee of the Whole.

Mr. Wilcox in the Chair.

After some time spent therein, the Committee arose, reported progress, and asked leave to set again.

On motion, the House adjourned.

SATURDAY, SEPTEMBER 27, 1862.

House met pursuant to adjournment.

Absent—Messrs. Blair, Fay, McCoy, Wilson.

The journal of yesterday was read and approved.

Mr. Moores, Chairman of the Committee on Engrossed Bills, reported H. B's Nos. 11 and 42, as correctly engrossed.

Mr. Cummins, Chairman of the Committee on Enrolled Bills, reported S. B's Nos. 4 and 7, as correctly enrolled.

Mr. Collard, Chairman of the Committee on Corporations, made the following report:

MR. SPEAKER: Your committee to whom was referred the petition of Felix Scott and others, have had the same under consideration, and ask leave to report the same back to the House, and recommend that no further action be taken.

F. A. COLLARD, *Chairman.*

On motion, the report was adopted.

Mr. Collard, Chairman of the Committee on Corporations, also made the following report:

MR. SPEAKER: To whom was referred the petitions of Thomas Chavner and J. B. White, asking for charters for their respective bridges, have had the same under consideration, and ask leave to report them back to the House, and recommend that no further action be taken.

F. A. COLLARD, *Chairman.*

On motion, the report was adopted.

On motion of Mr. Moores, the Joint Committee to re-apportion the Senators and Representatives, be increased to three, on the part of the House, and two, on the part of the Senate.

The Speaker appointed Messrs. Moores, Applegate and Wilcox, as said committee, on part of the House.

Mr. Smith gave notice that, on some future day, he

would introduce a bill for the relief of school district No. 36, in Linn county.

Also, a bill for the relief of M. C. Geer and H. M. Waller.

H. B. No. 45: An Act to amend the charter of the city of Portland.

Was read second time.

On motion, the bill was referred to Messrs. Dufur, Haines, Wasserman.

H. B. No. 54: An Act for the relief of John Fullerton.
Was read second time.

H. B. No. 52: An Act for the relief of H. Cammon.
Was read second time.

H. B. No. 53: An Act for the relief of H. G. Blake.
Was read second time.

H. B. No. 42: An Act to regulate the time of holding the session of the Legislative Assembly.

Was read third time and passed, as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—23.

Nays—Messrs. Blair, Brown, Fay, Haines, Mallory, Reed, Wilson—7.

So the bill passed.

H. B. No. 11: An Act to provide for the purchase of decisions of Supreme Court.

Was read third time.

Mr. Fay moved to amend by striking out the word "passage" and insert "approval by the Governor."

Which was adopted.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown Cummins, Fay, Gillette, Haines, Kerns, Mallory, McClure, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Witham, Wilcox, Watson, Mr. Speaker—22.

Nays—Messrs. Collard, Conyers, Dufur, Engle, Hemenway, Minto, McCoy, Wilkins, Wilson—9.

So the bill passed.

Mr. Conyers introduced the following bill:

H. B. No. 56: An Act to provide for an inspector of salmon.

Which was read first time.

Mr. Collard introduced the following bill:

H. B. No. 57: An Act to amend "An Act to incorporate the Clackamas Bridge Company."

Which was read first time.

Mr. Minto introduced the following bill:

H. B. No. 58: An Act to provide for the purchase of munitions of war.

Which was read first time and referred to Committee on Military Affairs.

The Speaker announced that he had signed the following bills:

S. B. No. 4.

S. B. No. 7.

H. B. No. 40: An Act for the relief of Alfred Allen.

Was read third time and passed, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Haines, Hem-enway, Mallory, McClure, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham Watson, Mr. Speaker—27.

Nays—Messrs. Humason, Kerns, Minto—3.

So the bill passed.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Cummins, Simpson, Wilcox.

Mr. Mallory, Chairman of Committee on Judiciary, to whom was referred the petitions from different counties in regard to the Usury Law.

Reported by the following bill:

H. B. No. 59: An Act to regulate the rates of interest.

Was read first time.

On motion, leave of absence was granted to Mr. McClure.

On motion of Mr. Fay, the House resolved itself into a Committee of the Whole.

Mr. Collard in the Chair.

After some time spent therein, the Committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration H. B. No. 29, beg leave to report progress and ask leave to set again.

On motion, the House adjourned.

MONDAY, SEPTEMBER 29, 1862.

House met pursuant to adjournment.

Absent—Messrs. Engle, Smith, Stevenson, Simpson, Wilcox, Wilson.

The journal of Saturday was read and approved.

Mr. Dufur, Chairman Committee on Roads and Highways, made the following report:

MR. SPEAKER: Your committee to whom was referred the petition of H. T. Comstock, beg leave to report that the Legislature of this State have no constitutional power whereby they can grant special privileges to any company or individual for road purposes.

Your committee would therefore report the petition of H. T. Comstock and others, back to the House, with the recommendation that it lay upon the table.

A. J. DUFUR, *Chairman.*

Mr. Moores moved to amend the report, by saying indefinitely postponed.

Which was carried.

On motion, the report was adopted.

Mr. Moores, Chairman of Committee on Engrossed Bills, reported H. B. No. 35 as correctly engrossed.

Mr. Cummins, Chairman of Committee on Enrolled Bills, reported H. B. No. 8 as correctly enrolled.

H. B. No. 41: An Act to incorporate Dalles City.

Was read second time.

Mr. Humason offered the following amendment:

That this Act shall take effect on the first Monday of April next.

On motion, the amendment was adopted.

H. B. No. 38: An Act for the preservation of game.

Was read second time.

On motion, the bill was referred to a Select Committee of three.

The Speaker appointed on said committee, Messrs. Wasserman, Haines, McClure.

H. B. No. 52: An Act for the relief of H. Cammon.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman Wilkins, Witham, Watson, Mr. Speaker—30.

Nays—None.

So the bill passed.

H. B. No. 53: An Act for the relief of H. G. Blake.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, McCully, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

H. B. No. 54: An Act for the relief of John Fullerton.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Moores, Mc-

Cully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wilkins, Witham, Watson, Mr. Speaker—29.

Nays—Mr. Minto—1.

So the bill passed.

The Speaker announced that he had signed the following bill:

H. B. No. 8: An Act to incorporate the city of Auburn.

H. B. No. 35: An Act to increase the number of Justices of the Supreme Court and creating a Fifth Judicial District.

Was read third time.

Mr. Dufur moved to indefinitely postpone.

Mr. Haines moved that the main question be now put.

Which was lost.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Blair, Kerns, McCully, Simpson, Wilcox.

The question being upon the indefinite postponement of H. B. No. 35, an Act to create a Fifth Judicial District.

Mr. Stevenson moved the main question be now put.

Which was carried.

The question recurring upon the indefinite postponement of the bill, the yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Dufur, Engle, Gillette—3.

Nays—Messrs. Brown, Collard, Conyers, Cummins, Fay, Humason, Haines, Hemenway, Mallory, McClure, Minto,

Moore, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Watson, Wilson, Mr. Speaker—24.

So the motion to postpone was lost.

On motion of Mr. Fay, a call of the House was ordered.

Absent—Messrs. Applegate, Kerns, McCully, Simpson, Wilcox.

The Sergeant-at-Arms was ordered to bring in the absentees.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Fay, Humason, Haines, Kerns, Mallory, McClure, Minto, Moore, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—Messrs. Dufur, Engle, Gillette, Hemenway, McCully, Wilson—6.

So the bill passed.

Mr. Stevenson introduced the following bill:

H. B. No. 60: An Act to provide for the payment of the members and officers of the Legislative Assembly.

Which was read first time.

Mr. Stevenson moved that the rules be suspended and read second time now, which resulted as follows:

Yeas—Messrs. Blair, Brown, Dufur, Fay, Haines, Humason, Kerns, Moore, Ramsby, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson—17.

Nays—Messrs. Collard, Conyers, Cummins, Engle, Hemenway, Mallory, McClure, Minto, McCully, McCoy, Richardson, Watson, Mr. Speaker—13.

So the rules were not suspended.

H. J.—17.

Mr. Stevenson moved that the bill be indefinitely postponed.

Which was lost.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed H. B. No. 33, to change the name of Curry county, with the accompanying amendments, in which they ask your concurrence.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the President of the Senate has signed H. B. No. 8, to incorporate the city of Auburn, which is herewith returned.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. J. R. No. 5, which is herewith inclosed.

That in the case of S. B's No. 5, for the relief of Burmester, and No. 6, relative to the direct tax, the Senate has adopted the House amendments, and they are returned for the signature of the Speaker.

It has passed H. B's Nos. 12, 23 and 27, which are herewith returned for the signature of the Speaker.

H. B's Nos. 14 and — have been passed with the amendments attached, and your concurrence asked for.

S. B. No. 10 is returned for the signature of the Speaker.

S. A. CLARK, *Chief Clerk.*

On motion, the House concurred in S. J. R. No. 5.

The Speaker announced that he had signed the following bills:

S. B. No. 10.

H. B's Nos. 12, 23, 27.

Senate amendments to H. B. No. 14, were read.

On motion of Mr. Gillette, the House concurred in the same.

On motion of Mr. Fay, the House resolved itself into Committee of the Whole.

Mr. Collard in the Chair.

After some time spent therein, the Committee arose, and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration H. B. No. 29, an Act to regulate marriages, have made some progress therein, and beg leave to report the same back to the House, with amendment, and ask your concurrence therein.

On motion, the report was adopted.

On motion, the House adjourned.

TUESDAY, SEPTEMBER 30, 1862.

House met pursuant to adjournment.

Absent—Messrs. Conyers, Kerns, Minto, Stevenson.

The journal of yesterday was read and approved.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the President has signed the following bills:

H. B's Nos. 12, 23 and 27.

Which are herewith returned.

S. A. CLARK, *Chief Clerk.*

Mr. Mallory, Chairman of Judiciary Committee, to whom was referred H. B. No. 51, introduced H. B. No. 61, as a substitute therefor.

H. B. No. 61: An Act to amend an Act, entitled "An Act, to incorporate the Rogue River Bridge Company."

Which was read first time.

Mr. Moores, Chairman of Committee on Engrossed Bills, reported H. B. No. 37 as correctly engrossed.

Mr. Collard gave notice that, on some future day, he would introduce a bill entitled "An Act for the relief of George Abernathy."

Mr. Gillette offered the report of the Pilot Commissioners.

Which, on motion, was referred to Committee on Commerce.

H. B. No. 46: An Act to provide for building bridges.

Was read second time.

And on motion of Mr. Mallory, was referred to Committee of the Whole.

H. B. No. 47: An Act to encourage the cultivation of tobacco.

Was read second time.

And on motion, was referred to Committee on Agriculture and Mining.

H. B. No. 48: An Act changing the boundaries of Clackamas county.

Was read second time.

H. B. No. 49: An Act to regulate salaries of County Judges.

Was read second time, and referred to Committee of the Whole.

H. B. No. 55: An Act to prevent introduction of diseased Animals.

Was read second time, and on motion of Mr. Simpson, was referred to Committee on the Whole.

H. B. No. 57: An Act amending "An Act of the charter of the Clackamas River Bridge Company.

Was read second time.

The following message was received from the Senate;

MR. SPEAKER: I am instructed to inform you that the Senate has amended and passed H. J. R. No. 8, which is herewith returned for your concurrence in said amendment. The President has appointed Mr. Hovey, on part of the Senate, to act with Committee to Visit Penitentiary

S. A. CLARK, *Chief Clerk.*

On motion of Mr. Moores, the House concurred in the amendment of the Senate to H. J. R. No. 8.

The Speaker announced that he had signed the following bills:

S. B's Nos. 5 and 6.

H. B. No. 37: An Act regulating the rights of miners and farmers in mining districts.

Was read third time.

Mr. Moores moved to amend by striking out the word "back" in section nine.

Which was carried.

Mr. Minto moved to amend section three.

Mr. Fay offered an amendment to the amendment of Mr. Minto.

Which was adopted.

The question recurring upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Fay, Gillette, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—28.

Nays—Mr. Cummins—1.

So the bill passed.

On motion of Mr. Fay, the House went into Committee of the Whole.

Mr. Brown in the Chair.

After some time spent therein, the Committee arose, and made the following report:

MR. SPEAKER: The Committee of the Whole have had under consideration, H. B. No. 49, an Act to regulate salaries of County Judges, and ask leave to report the same back to the House with amendments.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Fay, Humason, Haines, Mallory, Minto.

On motion of Mr. Simpson, the House adjourned until to-morrow evening at 7 o'clock.

WEDNESDAY, OCTOBER 1, 1862.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Conyers, Cummins, Richardson, Waserman.

The journal of yesterday was read and approved.

Mr. Humason introduced the following bill:

H. B. No. 62: An Act to provide for taxing negroes, Chinamen and Kanakas.

Which was read first time.

Mr. Fay moved that the House resolve itself into a Committee of the Whole.

Mr. Stevenson moved to adjourn until Saturday morning, at 9 o'clock.

On which the yeas and nays were demanded, which resulted as follows:

Yeas—Messrs. Collard, Dufur, Fay, Haines, Kerns, Mallory, Ramsby, Stevenson, Wilcox, Wilson—10.

Nays—Messrs. Applegate, Blair, Brown, Engle, Gillette, Humason, Hemenway, McClure, Minto, McCully, McCoy, Reed, Smith, Simpson, Van Dyke, Wilkins, Witham, Watson, Mr. Speaker—19.

So the motion to adjourn was lost.

The question recurring upon the motion of Mr. Fay, was carried,

So the House went into Committee of the Whole.

Mr. Gillette in the Chair.

After some time spent therein, the Committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration H. B. No. 55, An Act to prevent the introduction of diseased animals, beg leave to report the same back to the House and recommend its passage.

On motion, the House adjourned until Saturday morning, at 9 o'clock.

SATURDAY, OCTOBER 4, 1862.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Conyers, Cummins, Moores, Mallory, Reed, Smith, Wilkins, Wilcox, Wilson.

The journal of Wednesday was read and approved.

H. B. No. 56: An Act to provide for inspecting salmon.
Was read second time.

On motion of Mr. Gillette, the bill was referred to a Select Committee of three.

The Speaker appointed on said committee, Messrs. Gillette, Conyers, Ramsby.

Mr. Moores offered the petition of O. C. Pratt, asking for relief.

On motion of Mr. Moores the petition was referred to a Select Committee of three.

The Speaker appointed on said committee, Messrs. Moores, Wilcox, Mallory.

H. B. No. 48: An Act changing the boundary line between Clackamas and Washington county.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Dufur, Engle, Fay, Gillette, Humason, Haines, Kerns, McClure, Minto, McCoy, Moores, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Witham, Watson, Mr. Speaker—24.

Nays—None.

So the bill passed.

The Speaker wishing to give notice of introducing a bill, called to the Chair, Mr. Brown, Speaker *pro tem*.

Mr. Palmer gave notice that, on some future day, he would introduce a bill to provide for auditing the civil debt of the Provisional Government of Oregon.

Mr. Collard introduced the following bill:

H. B. No. 63: An Act for the relief of George Abernathy.

Which was read first time, and, on motion, was laid on the table.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. J. R. No. 6, herewith inclosed, and ask your concurrence therein.

S. A. CLARK, *Chief Clerk*.

Mr. Humason offered an amendment to S. J. R. No. 6.

Which was adopted.

On motion, the House concurred in S. J. R. No. 6.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to transmit to the House the message of Governor Gibbs, returning to the Senate

S. B. No. 7, A bill to prescribe certain conditions upon which money may be drawn from the State Treasury, with his objections to the same, and to inform you that the Senate having reconsidered their action upon said bill, have again passed it by a vote of twelve ayes to four nays, and would now ask your concurrence in their action.

S. A. CLARK, *Chief Clerk*.

On motion of Mr. Stevenson, a call of the House was ordered.

Absent—Mr. Wilson.

On motion of Mr. Moores, a further call of the House was dispensed with.

Mr. Simpson moved that the bill be made the special order of the day on Monday at 11 o'clock, A. M.

Upon which the yeas and nays were demanded, with the following result:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, McClure, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Wasserman, Wilkins, Wilcox, Watson—21.

Nays—Messrs. Blair, Brown, Humason, Haines, Mallory, Minto, Moores, Reed, Van Dyke, Witham, Mr. Speaker—11.

So the motion to make the special hour for the consideration of the bill at 11 o'clock on Monday, prevailed.

Mr. Moores gave notice that, on an early day, he would introduce a bill authorizing the State Treasurer to purchase a fire proof safe for the use of his office.

The following message was received from the Governor:

EXECUTIVE OFFICE, September 29, 1862.

Gentlemen of the House of Representatives:

I have approved and signed the following bills:

H. B. No. 2: A bill to organize Umatilla county.

H. B. No. 3: A bill to organize Baker county.

H. B. No. 8: A bill to incorporate the city of Auburn.

H. B. No. 15: A bill to encourage oysters.

H. J.—18.

H. B. No. 25: To provide for the safe keeping and treatment of insane and idiotic persons.

ADDISON C. GIBBS, *Governor of Oregon.*

EXECUTIVE OFFICE, September 29, 1862.

Gentlemen of the House of Representatives:

I have approved and signed the following bills:

H. B. No. 12: A bill for the relief of A. B. Westerfield, James McAuliffe, and Charles Mansfield.

H. B. No. 23: A bill declaring the Calapoopia river a public highway.

H. B. No. 27: A bill to amend an Act, entitled "An Act, for fixing the commencement and close of the terms of State and county officers," approved October 17, 1860.

ADDISON C. GIBBS, *Governor of Oregon.*

On motion of Mr. Stevenson, H. B. No. 33, An Act to change the name of Curry county, was taken from the table.

The question being, shall the House concur in the amendments of the Senate.

Upon which, the yeas and nays were demanded, with the following result:

Yeas—Messrs. Applegate, Cummins, Engle, Mallory, Minto—5.

Nays—Messrs. Blair, Brown, Collard, Conyers, Dufur, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—28.

So the House did not concur in the amendment.

On motion, H. B. No. 36, "An Act to increase the salaries of Justices of the Supreme Court," was taken from the table.

And read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Fay, Humason, Haines, Mallory, Ramsby, Stevenson, Simpson, Wasserman, Wilcox—9.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Van Dyke, Wilkins, Witham, Watson, Mr. Speaker—24.

So the bill was lost.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Blair, Brown, Mallory, Moores, McCully, Stevenson.

Mr. Simpson gave notice that, on some future day, he would introduce a bill to further provide for the payment of claims against the State of Oregon.

Mr. Kerns gave notice that, on some future day, he would introduce a bill relating to common schools.

Mr. Applegate gave notice that, on some future day, he would introduce a bill relating to stallions.

Mr. Wilson presented a petition from the citizens of Douglas county, in reference to changing the county lines between Douglas and Umpqua.

Which, on motion, was referred to Committee on Counties.

On motion, the House resolved itself into Committee of the Whole.

Mr. Humason in the Chair.

After some time spent therein, the Committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration H. B. No. 6, beg leave to report the same back to the House with amendments, and recommend its adoption. Also,

H. B. No. 28: An Act for taxing negroes, Chinamen and Kanakas, without amendments.

On motion, the report was adopted.

On motion of Mr. Simpson, H. B. No. 46 was referred to a Special Committee of three.

The Speaker appointed on said committee, Messrs. Simpson, Smith, Collard.

On motion of Mr. Haines, H. B. No. 28 was referred to a Special Committee of three.

The Speaker appointed on said committee, Messrs. Haines, Fay, Humason.

Mr. Reed introduced the following bill:

H. B. No. 64: An Act to organize the militia of the State of Oregon.

On motion of Mr. Humason, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Cummins, Dufur, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Simpson, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—27.

Nays—Messrs. Conyers, Fay—2.

So the bill was read first time by title.

On motion of Mr. Reed, the bill was referred to Committee on Federal Relations.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has failed to concur in the House amendments to S. J. R. No. 6, which is herewith transmitted.

S. A. CLARK, *Chief Clerk*.

The question being upon insisting in the amendments of the House to S. J. R. No. 6.

Which was carried.

Mr. Moores, Chairman of Committee on Engrossed Bills, reported H. B's Nos. 29, 41 and 57, as truly engrossed.

On motion, the House adjourned to meet at 7 o'clock this evening.

17-10-20
EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Blair, Conyers, Cummins, Engle.

On motion, leave of absence was granted to the Committee on Federal Relations.

H. B. No. 50: An Act to provide for the sale and disposition of land donated to Oregon for the establishment of a University.

Was read second time.

H. B. No. 57: An Act to amend an Act incorporating Clackamas River Bridge Company.

Was read third time.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Cummins, Dufur, Gillette, Humason, Hemenway, Kerns, McClure, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—24.

Nays—None.

So the bill passed.

H. B. No. 41: An Act to incorporate Dalles City.

Moore, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Watson, Mr. Speaker—23.

Nays—None.

So the bill passed.

H. B. No. 29: An Act to regulate marriages.

Was read third time.

On motion of Mr. Smith, was referred to Select Committee of three.

The Speaker appointed on said committee, Messrs. Smith, Humason, Watson.

H. B. No. 6: An Act for taking up and disposal of estrays.

Was read third time.

On motion of Mr. Humason, the bill was referred to Committee on Claims.

On motion, the House adjourned.

MONDAY, OCTOBER 6, 1862.

House met pursuant to adjournment.

Absent—Mr. Engle.

The journal of Saturday was read and approved.

Mr. Smith presented a petition from the citizens of Albany, asking for a charter for their city.

On motion, the petition was referred to a Select Committee of three.

The Speaker appointed on said committee, Messrs. Smith, Brown, McCoy.

Mr. Moore, Chairman of Committee on Engrossed Bills, reported H. B. No. 55, as truly engrossed.

Mr. Cummins, Chairman of Committee on Enrolled Bills, reported H. B. No. 14, as truly enrolled.

Mr. Smith, Chairman of Select Committee, made the following report:

The Select Committee to whom was referred H. B. No. 29, an Act to regulate marriages, beg leave to report a substitute therefor, and recommend its adoption by the House.

JOHN SMITH, *Chairman.*

On motion, the report was adopted.

Mr. Minto, Chairman of Select Committee, to whom was referred H. B. No. 5, made the following report:

MR. SPEAKER: Your committee to whom was referred H. B. No. 5, entitled an Act to tax dogs, beg leave to report the accompanying as a substitute, and recommend its passage.

JOHN MINTO, *Chairman.*

Mr. Stevenson moved to refer the bill to a Committee of the Whole.

Which was lost.

H. B. No. 62: An Act to provide for taxing negroes, Chinamen and Kanakas.

Was read second time.

Mr. Fay offered an amendment to section two.

Which was adopted.

Mr. Humason moved to amend section four.

Which was adopted.

Mr. Mallory offered an amendment to section four.

Which was also adopted.

Mr. Haines, Chairman of Select Committee, reported H. B. No. 28, an Act to tax negroes, Chinamen and Kanakas, back to the House.

H. B. No. 59: An Act to prevent usury.

Was read second time.

On motion of Mr. Moores, 10 o'clock on Thursday next was made the special hour for the further consideration of the bill.

H. B. No. 55: An Act to prevent the spread of contagious diseases of domestic animals.

Was read third time.

Mr. Collard moved to amend section two.

Which was adopted.

Mr. Humason offered an amendment to section two.

Which was also adopted.

Mr. Simpson moved to reconsider the vote by which Mr. Humason's amendment was adopted.

Which was lost.

H. B. No. 50: An Act to provide for the sale of land donated to Oregon for the establishment and endowment of a University.

Was read third time.

The hour having arrived which was set apart for the consideration of S. B. No. 7 and the Governor's "veto" message accompanying the same, was taken up.

The question being, shall the bill pass over the Governor's veto.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Blair, Dufur, Haines, Van Dyke, Wasserman, Witham.

The question being, shall S. B. No. 7, An Act prescribing certain conditions upon which moneys shall be drawn from the State Treasury.

Mr. Fay moved a call of the House.

Absent—Messrs. Dufur, Van Dyke, Wasserman, Witham.

The Sergeant-at-Arms was ordered to bring in the absentees.

Upon the absentees having been summoned, a further call of the house was dispensed with.

The question recurring upon the passage of the bill, resulted as follows :

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, McClure, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Wasserman, Wilkins, Wilson, Watson, Mr. Speaker—22.

Nays—Messrs. Blair, Brown, Fay, Humason, Haines, Mallory, Minto, Moores, Reed, Van Dyke, Witham, Wilcox—12.

The bill not receiving a two-thirds vote, was lost.

On motion, the House adjourned.

TUESDAY, OCTOBER 7, 1862.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Engle, Humason, Simpson.

The journal of yesterday was read and approved.

Mr. Wilkins presented a petition from the citizens of Eugene City, asking for a charter of incorporation.

Which was referred to Select Committee of Messrs. Wilkins, McClure.

Mr. Humason presented a memorial asking for the establishment of a mail route through Umatilla and Baker counties to Salt Lake, and establishing a military post at Fort Boise.

On motion, the House adopted the memorial.

On motion of Mr. Humason, the House reconsidered the H. J.—19.

vote upon insisting upon House amendments to S. J. R. No. 6, relating to the establishing of a military post at Klamath Lake.

The question being, shall the House insist upon House amendment to S. J. R. No. 6.

Which was lost.

Mr. Cummins, of Judiciary Committee, made the following report:

MR. SPEAKER: The Judiciary Committee to whom was referred H. B. No. 16, relating to Assessors, have had the matter under consideration, and beg leave to report the same back to the House, at this time, with a substitute, and recommend that the substitute do pass.

JOHN CUMMINS, *Member of Judiciary Committee.*

On motion, the report was adopted.

H. B. No. 66: An Act relating to Assessors, and substitute to H. B. No. 16.

Which was read first time.

On motion, H. B. No. 16 was ordered printed.

Mr. Dufur, Chairman of Committee on Roads and Highways, made the following report:

MR. SPEAKER: The Committee on Roads and Highways, ask leave to report by bill.

A. J. DUFUR, *Chairman.*

H. B. No. 66: An Act to regulate roads.

Which was read first time.

Mr. Moores, Chairman of Committee on Engrossed Bills, reported H. B's Nos. 55 and 62, as correctly engrossed.

Mr. Gillette, Chairman of Committee to whom was referred H. B. No. 56, made the following report:

MR. SPEAKER: Your committee to whom was referred H. B. No. 56, relating to the inspection of salmon, have had the same under consideration, and beg leave to report

it back to the House, with amendments, and recommend its adoption, and ask that your committee be discharged.

P. W. GILLETTE, *Chairman.*

On motion, the report was adopted and bill ordered engrossed.

The Speaker announced that he had signed the following bill:

H. B. No. 14: An Act amending an Act incorporating the city of Astoria.

Mr. Conyers, Chairman of Committee, to whom was referred H. B. No. 30, made the following report:

MR. SPEAKER: Your Committee to whom was referred H. B. No. 30, beg leave to report the same back without amendments.

E. W. CONYERS, *Chairman.*

On motion, the report was adopted.

Mr. Moores gave notice that, on an early day, he would introduce a bill for the regulation of the telegraph, and to secure secrecy and fidelity in the transmission of telegraphic messages.

Mr. Dufur gave notice that, on an early day, he would introduce a bill making the legal tender notes of the United States, legal tender for the payment of all debts and taxes in this State.

H. B. No. 61: An Act to incorporate the Rogue River Bridge Company.

Which was read second time.

Mr. Humason moved to amend section one by striking out the word "exclusive."

Which was carried.

On motion of Mr. Mallory, the bill was indefinitely postponed.

H. B. No. 60: An Act to provide for the payment of members and officers of the Legislative Assembly.

Was read second time.

Mr. Fay moved that the rules be suspended and the bill be read third time now.

Which resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Fay, Gillette, Haines, Mallory, McClure, Moores, McCoy, Ramsby, Smith, Stevenson, Van Dyke, Witham, Wilcox, Wilson, Watson—20.

Nays—Messrs. Conyers, Cummins, Engle, Kerns, McCully, Richardson, Reed, Wilkins, Mr. Speaker—9.

So the rules were suspended.

Mr. Stevenson moved to amend section one.

Mr. Fay offered an amendment to the amendment.

Which was adopted.

The question recurring upon the amendment of Mr. Stevenson, was adopted.

Mr. Moores offered a substitute to section two.

On motion of Mr. Fay, the bill was ordered engrossed and to be read third time this afternoon.

H. B. No. 28 : An Act to amend an Act to tax Chinese, Negroes and Kanakas.

Was read third time.

Mr. Fay offered an amendment to the original Act, by adding a provision to section eight.

Which was adopted.

Mr. Fay offered an amendment to the bill, by adding a section.

Which was adopted.

Mr. Gillette moved to indefinitely postpone the bill.

Pending which, on motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

The question being upon the indefinite postponement of H. B. No. 28.

On which the yeas and nays were demanded, which resulted as follows :

Yeas—Messrs. Applegate, Brown, Cummins, Engle, Gillette, Humason, Hemenway, Mallory, McClure, McCoy,

McCully, Richardson, Smith, Simpson, Van Dyke, Wilkins, Wilson, Watson, Mr. Speaker—19.

Nays—Messrs. Blair, Collard, Conyers, Dufur, Fay, Haines, Kerns, Minto, Moores, Ramsby, Reed, Stevenson, Wasserman, Witham, Wilcox—15.

So the bill was indefinitely postponed.

II. B. No. 50: An Act to provide for the sale of University lands, came up on its final passage, with the following result:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Memenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Reed, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—32.

Nays—Messrs. Humason, Haines—2.

So the bill passed.

Mr. Simpson, Chairman of Committee on Claims, made the following report:

MR. SPEAKER: The committee to whom was referred H. B. No. 46, have had the same under consideration, and beg leave to report the same back to the House with the recommendation that it be amended by striking out the words "Commissioners or Judge," wherever it occurs and insert the word "Court."

B. SIMPSON, *Chairman*.

On motion, the bill was referred to Committee on Judiciary, with instruction to report forthwith.

H. B. No. 5: An Act to tax dogs.

Was read third time.

Mr. Simpson moved to strike out all that portion of the bill relating to bounties on animals.

Which was lost.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Conyers, Engle, Gillette, Minto, Moores, McCully, Ramsby, Richardson, Reed, Van Dyke, Mr. Speaker—13.

Nays—Messrs. Collard, Cummins, Dufur, Fay, Humason, Haines, Hemenway, Kerns, Mallory, McClure, McCoy, Smith, Stevenson, Simpson, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson—20.

So the bill was lost.

H. B. No. 29: An Act regulating marriages.

Was read third time.

The question being shall the bill pass, resulted as follows:

Yeas—Messrs. Applegate, Conyers, Cummins, Dufur, Engle, Humason, Hemenway, Kerns, McClure, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Wilcox, Watson, Mr. Speaker—25.

Nays—Messrs. Blair, Collard, Fay, Gillette, Haines—5.

So the bill passed.

Mr. Simpson, Chairman of Committee on Claims, made the following report:

MR. SPEAKER: Your committee to whom was referred H. B. No. 6, have had the same under consideration, and beg leave to report the same back to the House with the accompanying amendment, and recommend its adoption.

B. SIMPSON, *Chairman*.

The report was adopted.

Mr. Fay moved to amend section six.

Which was lost.

Mr. Mallory moved to amend section eight.

Which was adopted.

Mr. Wilkins moved to amend by striking out the words "September, October and November."

Mr. Cummins moved to amend the amendment by striking out the words "October and November."

Which was lost.

The question upon the amendment of Mr. Wilkins, was lost.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Haines, Kerns, Mallory, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Messrs. Hemenway, McClure, Minto, Wilkins—4.

So the bill passed.

The following messages were received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the accompanying report from the Code Commission, known as "S. B. No. 14, a bill to provide a code of civil procedure;" and would ask your concurrence in the same.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the Senate having receded from its amendments to H. B. No. 33, an Act to change the name of Curry county, and have thereby concurred in the action of the House. The bill is herewith returned.

The Senate has also passed the following bills:

H. B. No. 24: For relief of School District No. 16, in Josephine county.

H. B. No. 52: For relief of H. Camman.

H. B. No. 53: For the relief of H. G. Blake.

All of which are herewith returned for enrollment.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. J. R. No. 7, prescribing the day after which no bills shall be introduced into this Legislature, which is herewith transmitted, and the concurrence of the House asked for.

S. A. CLARK, *Chief Clerk.*

Mr. Stevenson moved to lay the resolution upon the table.

Which was lost.

On motion, the House concurred in the resolution by the following vote:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Mr. Speaker—28.

Nays—Messrs. Fay, Stevenson—2.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has indefinitely postponed consideration of H. B. No. 42, to change the time for holding the biennial session of the Legislature.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the accompanying bills:

S. B. No. 18: Relating to Assessors.

S. B. No. 22: For relief of School District No. 5, Josephine county.

And ask your concurrence in their action.

The Senate has also passed the following bills:

H. B. No. 11: Relating to reports of the Supreme Court.

H. B. No. 35: Increasing number of Justices of Supreme Court.

H. B. No. 48: Changing the county lines of Clackamas county.

Which are herewith returned for enrollment.

The President has signed H. B. No. 14, which is herewith returned.

S. A. CLARK, *Chief Clerk.*

Mr. Mallory, Chairman of Committee on Judiciary, made the following report:

MR. SPEAKER: Your committee to whom was referred H. B. No. 46, respectfully represent that they have had the same under consideration and herewith report the same back to the House with amendments, and recommend their adoption.

On motion the report was adopted.

The question being upon the final passage of H. B. No. 46, an Act to provide for building bridges, resulted as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Haines, Hemenway, Kerns, Mallory, McClure, McCully, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Mr. Speaker—24.

Nays—Messrs. Dufur, Engle, Gillette—3.

So the bill passed.

H. B. No. 60: An Act to provide for the payment of the members and officers of the Legislative Assembly.

Was read third time.

The question being, shall the bill pass, resulted as follows:

Yeas—Messrs. Applegate, Blair, Collard, Cummins, Dufur, Engle, Fay, Gillette, Haines, Hemenway, Kerns, Mallory, McClure, Mirto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—29.

Nays—Messrs. Conyers, McCully—2.

So the bill passed.

Mr. Smith introduced the following bill:

H. B. No. 67: An Act for the relief of School District No. 36, in Linn county.

Which was read first time.

Mr. Moores introduced the following bills:

H. B. No. 68: An Act to create a fund for the erection
H. J.—20.

and support of an Asylum for the insane, idiotic, deaf, dumb and blind.

Was read first time.

H. B. No. 69 : An Act to provide for the purchase of a fire proof safe for the State.

Which was read first time.

Mr. Smith introduced the following bill :

H. B. No. 70 : An Act for the relief of Waller and Geer.

Which was read first time.

Mr. Smith introduced the following bill :

H. B. No. 71 : An Act relating to salaries of County Treasurer.

Which was read first time, and ordered not to be printed.

Mr. Kerns introduced the following bill :

H. B. No. 72 : An Act relating to common schools.

On motion, the rules were suspended, as follows, and read first time by title :

Yeas—Messrs. Applegate, Blair, Collard, Cummins, Engle, Gillette, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—Messrs. Conyers, Dufur, Hemenway, Van Dyke—4.

The Speaker wishing to introduce a bill, called to the Chair, Mr. Brown, Speaker *pro tem*.

Mr. Palmer introduced the following bill :

H. B. No. 73 : An Act to provide for auditing the civil debt of the Provisional Government.

Which was read first time.

On motion, the House adjourned until 7 o'clock, this evening.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Wilson.

H. B. No. 55: An Act to prevent the spread of contagious diseases among domestic animals.

Was taken up.

The question being upon the final passage of the bill, resulted as follows:

Yeas: Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Wilson, Mr. Speaker—29.

Nays—None.

So the bill passed.

H. B. No. 30: An Act to change the time of holding the County Court of Columbia county, and fixing the salary of the County Judge.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Dufur, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—29.

Nays—Mr. Cummins—1.

So the bill passed.

H. B. No. 62: An Act to tax Chinese, negroes and Kanakas.

Was read third time.

Mr. Moores offered an amendment.

Which was adopted.

Mr. Mallory offered an amendment to section five.

Mr. Van Dyke moved to indefinitely postpone the bill.

Which was lost.

Mr. Stevenson offered an amendment to the amendment.

Which was lost.

The question recurring upon the amendment of Mr. Mallory.

Was adopted.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Blair, Collard, Fay, Gillette, Humason, Haines, Kerns, Mallory, Moores, Simpson, Witham, Wilcox, Watson, Mr. Speaker—14.

Nays—Messrs. Brown, Conyers, Cummins, Dufur, Engle, Hemenway, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins—18.

So the bill was lost.

Mr. Moores moved to take up S. B. No. 14, an Act to provide a code for civil procedure, suspend the rules and read first time by title, with the following result:

Yeas—Messrs. Brown, Cummins, Dufur, Humason, Hemenway, Kerns, Mallory, Minto, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Wilson, Watson, Haines, Mr. Speaker—23.

Nays—Messrs. Blair, Collard, Conyers, Engle, Fay, Gillette, McClure, McCully, McCoy, Witham—10.

So the rules were suspended and the bill read first time by title.

Mr. Simpson moved that the rules be further suspended and read second time by title, which resulted as follows :

Yeas—Messrs. Brown, Cummins, Dufur, Humason, Hemenway, Kerns, Mallory, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Haines, Mr. Speaker—24.

Nays—Messrs. Blair, Collard, Conyers, Engle, Fay, Gillette, McClure, McCully—8.

So the rules were suspended and the bill read a second time by title.

Mr. Fay offered a resolution that the Committee on Military Affairs be requested to report upon that part of Governor Whiteaker's message, relating to the cavalry company ordered to be raised by the Governor, under the call of Colonel Wright, on the 12th day of September, 1861.

On motion of Mr. Stevenson, the resolution was indefinitely postponed.

Mr. Stevenson gave notice that, on to-morrow, he would introduce a bill to repeal section twenty-two of an Act, entitled "An Act to tax and protect Chinamen mining in Oregon."

On motion, the House adjourned.

WEDNESDAY, OCTOBER 8, 1862.

House met pursuant to adjournment.

Absent—Messrs. Brown, Simpson, Van Dyke, Witham, Wilson.

The journal of yesterday was read, corrected and approved.

Mr. Mallory introduced a remonstrance from the citizens

of Douglas county, remonstrating against the division of their county.

On motion, the remonstrance was referred to Committee on Counties.

Mr. Mallory, Chairman of committee to whom was referred H. B. No. 1, made the following report:

The Judiciary Committee to whom was referred H. B. No. 1, have had the same under consideration, and herewith submit a substitute therefor.

R. MALLORY, *Chairman*.

H. B. No. 74: An Act to amend an Act, entitled "An Act, to incorporate the city of Jacksonville."

Which was read first time.

Mr. Wilkins, Chairman of Committee to Revise Fees, made the following report:

MR. SPEAKER: Your committee to revise fees, beg leave to report by bill, and recommend its adoption.

M. WILKINS, *Chairman*.

H. B. No. 75: An Act to revise fees of officers.

Which was read first time.

Mr. Wasserman, Chairman of committee to whom was referred H. B. No. 45, reported the bill back to the House, with amendments, and recommend its passage.

Mr. Wasserman offered the following resolution:

H. J. R. No. 10: *Resolved*, By the House, the Senate concurring, That the Senate and House meet in Joint Convention, in the Hall of the House, on Friday, the 10th day of October, at 2 o'clock, P. M., to elect three Pilot Commissioners, in pursuance of an Act, to establish a pilotage on the Columbia and Willamette rivers; and, also, a Librarian, in pursuance of an Act for the appointment of a Librarian and defining his duties.

The question being upon the adoption of the resolution, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines,

Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Smith, Simpson, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—Mr. Fay—1.

So the resolution was adopted.

On motion of Mr. Fay, the vote by which a resolution offered by him on yesterday was indefinitely postponed, was reconsidered.

The question then being upon the indefinite postponement of the resolution, was lost.

By consent of the House, Mr. Fay withdrew the resolution for the present.

Mr. Wilkins gave notice that, on some future day, he would introduce a bill to incorporate Eugene City.

Mr. Blair gave notice that, on some future day, he would introduce a bill relative to buck sheep running at large.

Mr. Wasserman gave notice that, on some future day, he would introduce a bill granting W. S. Ladd and his associates, the right of way for the conveyance of water from Oswego to the city of Portland.

Mr. Smith offered the following resolution:

H. R. No. 18: *Resolved*, That the Code shall be made the order of each day at 2 o'clock until the House disposes of the same.

The resolution was adopted.

On motion of Mr. Collard, the House went into an election of an Assistant Enrolling Clerk.

Mr. Collard put in nomination Mr. Fisher.

Mr. Smith put in nomination Mr. Foster.

The following members voted for Mr. Fisher:

Messrs. Collard, Conyers, Dufur, Fay, Humason, Haines, Kerns, McClure, Minto, Moores, Richardson, Reed, Wasserman, Watson—14.

The following members voted for Mr. Foster:

Messrs. Applegate, Blair, Brown, Cummins, Engle, Gillette, Hemenway, Mallory, McCully, McCoy, Ramsby, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Mr. Speaker—20.

Mr. Foster having received a majority of all the votes cast, was declared duly elected Assistant Enrolling Clerk.

Whereupon, Hon. R. E. Stratton came forward, and administered the usual oath.

Mr. Fay offered the following resolution :

H. R. No. 19 : *Resolved*, That the Committee to whom was referred that part of Governor Whiteaker's Message relating to the company of cavalry ordered to be raised by the Governor, under the call of Colonel Wright, under date of September 12th, 1861, be requested to report forthwith by bill or otherwise.

On motion, the resolution was adopted.

H. B. No. 65 : An Act relating to Assessors.

Was read second time.

Mr. Haines offered an amendment to section four.

Mr. Wasserman moved to amend the amendment.

Which was lost.

Mr. Humason moved to amend the amendment of Mr. Haines.

Which was lost.

The question recurring upon the amendment of Mr. Haines.

Which was adopted.

Mr. Dufur offered an amendment to section three.

Which was adopted.

Mr. Cummins offered an amendment to section three.

Which was adopted.

Mr. Cummins moved to strike out the words "five thousand" in section one, and insert "three thousand."

Which was adopted.

H. B. No. 71: An Act to regulate the salaries of County Judges.

Was read second time.

Mr. Simpson offered an amendment to section two.

Which was adopted.

On motion of Mr. Collard, H. B. No. 63 was taken from the table, and referred to Committee on Claims.

Mr. Dufur introduced the following bill:

H. B. No. 76: An Act to provide for making United States legal tender notes a legal tender for all debts and taxes in this State.

Was read first time.

Mr. Wilkins introduced the following bill:

H. B. No. 77: An act relating to elections.

Which was read first time and referred to a Special Committee of three.

The Speaker appointed Messrs. Wilkins, Simpson, Blair.

S. B. No. 18: An Act relating to Assessors.

Was read first time, and on motion, was laid upon the table.

S. B. No. 22: An Act for the relief of School District No. 5, in Josephine county.

Which was read first time.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Stevenson, Watson.

H. J.—21.

The Code being the order of the day at 2 o'clock, P. M., was taken up for third reading.

Mr. Fay moved that it lay upon the table, and that two hundred and fifty copies be ordered printed.

Which was lost.

On motion of Mr. Moores, Hon. Judge Deady was requested to answer any questions which might be propounded in relation to the Code.

Which was adopted.

On motion of Mr. Dufur, the House adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Dufur, Richardson, Stevenson.

On motion of Mr. Moores, the further consideration of S. B. No. 14, known as the "Code," was dispensed with.

H. B. No. 68: An Act to create a fund for the erection of an Asylum and the support of the insane, idiotic, deaf, dumb and blind.

Was read second time, and referred to Committee of the Whole.

H. B. No. 69: An Act to authorize the purchase of safes for the use of the State.

Was read second time.

Mr. Cummins Chairman of Committee on Enrolled Bills, reported H. B's Nos. 33, 35 and 53, as correctly enrolled.

Mr. Mallory, Chairman of Committee on Federal Relations, reported H. B. No. 64, an Act to organize the militia, back to the House, with amendments, and recommend its passage.

On motion of Mr. Moores, the rules were suspended, as follows:

Yeas—Messrs. Blair, Brown, Collard, Cummins, Engle,

Gillette, Humason, Haines, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—27.

Nays—Messrs. Applegate, Hemenway, Fay—3.

So the bill was read second time by title.

On motion, the bill was ordered printed.

Mr. Reed gave notice that, on some future day, he would introduce a bill to amend an Act to protect the Fair grounds.

Mr. Mallory, Chairman of committee to whom was referred the petition from the citizens of Multnomah county, asking for the passage of a law to prevent negroes and mulattoes from coming into this State, reported by bill.

H. B. No. 78: An Act to prevent negroes and mulattoes from coming into the State.

Was read first time.

Mr. Simpson moved to reject the bill.

Which was lost.

On motion of Mr. Engle, the vote by which H. B. No. 62 was lost, was reconsidered.

Mr. Moores offered an amendment.

Which was adopted.

The question then being upon the passage of H. B. No. 62, an Act to tax negroes, Chinamen, Kanakas and mulattoes, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, Ramsby, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—29.

Nays—Messrs. Kerns, McCully, McCoy—3.

So the bill passed.

Mr. Wasserman, Chairman of Committee on Commerce,

to whom was referred the report of the Pilot Commissioners, reported by bill.

H. B. No. 79: An Act to amend an Act for establishing a pilotage on the Columbia and Willamette rivers.

Which was read first time and ordered not to be printed.

Mr. Moores introduced the following bill:

H. B. No. 80: An Act to incorporate the city of Salem.

Which was read first time and ordered not to be printed.

Mr. Moores introduced the following bill:

H. B. No. 81: An Act to abolish the office of County Commissioner in Marion county, and to provide in lieu thereof, for the election of Board of Auditors, and define their duties.

Which was read first time.

Mr. Hemenway offered a resolution instructing the Governor to fill the office of State Printer by appointment.

On motion of Mr. Humason, the resolution was laid upon the table, by the following vote:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Humason, Haines, Kerns, Minto, Moores, Ramsby, Reed, Smith, Simpson, Van Dyke, Witham, Wilcox, Watson, Mr. Speaker—18.

Nays—Messrs. Conyers, Dufur, Engle, Fay, Gillette, Hemenway, McClure, McCully, McCoy, Wasserman, Wilkins—11.

So the resolution was laid on the table.

Mr. Gillette presented a memorial to Congress, asking for the establishment of mail routes and post offices in the county of Tillamook.

On motion, the House adopted the memorial.

The Speaker announced that he had signed the following bills:

H. B. No. 33.

H. B. No. 35.

H. B. No. 53.

Mr. Fay offered the following resolution :

H. J. R. No. 10: In relation to requesting our Representatives in Congress to use their influence in establishing a mail route to Williamsburg, Josephine county, and the establishment of a post office in said town.

Which was adopted by the following vote :

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—30.

Nays—None.

Mr. Wilkins gave notice that, on some future day, he would introduce a bill to locate the Agricultural College.

On motion, the House adjourned.

THURSDAY, OCTOBER 9, 1862.

House met pursuant to adjournment.

Absent—Mr. Stevenson.

The journal of yesterday was read and approved.

Mr. Cummins, Chairman of Committee on Enrolled Bills, reported the following bills as correctly enrolled :

H. B. No. 11.

H. B. No. 24.

H. B. No. 48.

H. B. No. 52.

Mr. Wilkins, Chairman of committee, to whom was referred H. B. No. 77, an Act in relation to elections, reported it back to the House, and recommend its passage.

* * *

Mr. Wilkins, Chairman of committee, to whom was referred S. B. No. 3, an Act to change the name of Lane county, reported it back to the House, and recommend its indefinite postponement.

On motion, the report was adopted.

Mr. Moores gave notice that, on some future day, he would introduce a bill to prescribe an oath to be taken by all State, county and municipal officers in this State.

Mr. Fay offered a resolution and memorial to Congress, asking for a modification of the treaty with China—to prevent the immigration of Chinese into Oregon.

On motion, the memorial was referred to Committee on Federal Relations.

On motion of Mr. Simpson, the vote on H. B. No. 5, an Act to tax dogs, was reconsidered.

On motion of Mr. Simpson, the bill was recommitted to Messrs. Minto, Blair and McCully.

H. B. No. 67: An Act for the relief of School District No. 36, in Linn county.

Was read second time.

On motion, the bill was referred to a Select Committee. Consisting of Messrs. Smith, Gillette, Kerns.

S. B. No. 22: An Act for the relief of School District No. 5, in Josephine county.

Was read second time, and referred to Select Committee of Messrs. Smith, Gillette, Kerns.

H. B. No. 79: An Act to amend an Act for establishment of a pilotage on the Columbia and Willamette rivers.

Was read second time.

H. B. No. 80: An Act to incorporate the city of Salem, was taken up.

On motion, the rules were suspended, as follows, and read second time by title:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Humason, Hemenway,

Kerns, McClure, Minto, McCully, McCoy, Reed, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—23.

Nays—None.

On motion, the bill was considered engrossed.

To be read third time to-morrow.

H. B. No. 77: An Act relating to elections.

Was read second time.

The hour having arrived which was set apart for the consideration of H. B. No. 59, an Act to prevent usury.

On motion of Mr. Simpson, a call of the House was ordered.

Absent—Messrs. Engle, Fay, Moores, Stevenson.

The Sergeant-at-Arms was ordered to bring in the absentees.

Upon the Sergeant-at-Arms announcing all the members present, a further call of the House was dispensed with.

The Speaker announced that he had signed the following bills:

H. B. No. 11.

H. B. No. 24.

H. B. No. 48.

H. B. No. 52.

H. B. No. 59: An Act to prevent usury.

Was read third time.

Mr. Humason moved to strike out the words "and no more," in the last line of section one.

Pending which, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Brown, Fay, Stevenson.

S. B. No. 14: Known as the "Code."

Was read third time.

On motion, the House adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Fay, Gillette, Humason, Mallory, Stevenson, Wilcox.

On motion of Mr. Simpson, S. B. No. 14 was dispensed with for the evening.

H. B. No. 59: An Act to prevent usury.

Came up on its third reading.

The question being upon the amendment offered by Mr. Humason, which was to strike out the words "and no more."

Mr. Wasserman moved to lay the bill over until Saturday evening, for further consideration.

Which was lost.

Mr. Stevenson moved that the main question be now put.

On motion, a call of the House was ordered.

Absent—Messrs. Fay, Gillette, Mallory.

On motion, leave of absence was granted Mr. Fay.

Mr. Simpson moved that a further call of the House be dispensed with.

Which was lost.

The Sergeant-at-Arms was ordered to bring in the absentees.

Mr. Dufur moved to adjourn.

Which was lost.

On motion, a further call of the House was dispensed with.

The question then being upon the amendment of Mr. Humason, was lost by the following vote:

Yeas—Messrs. Dufur, Fay, Humason, Haines, Moores, McCully, Wasserman—7.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Engle, Hemenway, Kerns, Mallory, McClure, Minto, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—26.

Mr. Stevenson moved to amend by making the rate of interest fifteen per cent. on special contracts.

Mr. Humason moved to amend the amendment, by saying "eighteen per cent."

Upon which the yeas and nays were demanded, with the following result:

Yeas—Messrs. Humason, Haines, Moores, McCully, Wasserman—5.

Nays—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, Minto, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

So the amendment was lost.

Mr. Blair moved that the main question be now put.

Which was carried.

The question then being upon the adoption of the amendment of Mr. Stevenson by saying "fifteen per cent."

• On which the yeas and nays were demanded, with the following result:

Yeas—Messrs. Blair, Dufur, Hemenway, Moores, Reed, Stevenson, Simpson, Witham, Wilcox—9.

Nays—Messrs. Applegate, Brown, Collard, Conyers, Cummins, Engle, Gillette, Humason, Kerns, Mallory, McClure, McCully, McCoy, Ramsby, Richardson, Smith, Van Dyke, Wasserman, Wilkins, Wilson, Watson, Mr. Speaker—22.

So the amendment was lost.

H. J.—22.

Mr. Collard offered an amendment, by adding section six—
Which was adopted.

Mr. Stevenson moved to amend section one, by allowing twelve per cent. on special contracts.

Upon which the yeas and nays were demanded, with the following result:

Yeas—Messrs Blair, Brown, Collard, Haines, Hemenway, Kerns, Minto, Moores, Reed, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Mr. Speaker—16.

Nays—Messrs. Applegate, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Mallory, McClure, McCully, McCoy, Ramsby, Richardson, Smith, Wasserman, Wilson, Watson—17.

So the amendment was lost.

Mr. Simpson moved to strike out section five.

Which was lost.

Mr. Simpson moved to indefinitely postpone the bill, on which the yeas and nays were demanded.

Yeas—Messrs. Blair, Humason, Haines, McCully, Reed, Simpson, Wasserman—7.

Nays—Messrs. Applegate, Brown, Collard, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Smith, Stevenson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Conyers Mr. Speaker—26.

So the motion to postpone was lost.

Mr. Stevenson moved to adjourn.

Which was lost.

Mr. Collard offered an amendment to section one.

Which was adopted.

On motion of Mr. Humason, the vote by which the amendment of Mr. Stevenson, to insert twelve per cent. was lost, was reconsidered.

The question then being upon the adoption of the amendment of Mr. Stevenson.

Mr. Mallory moved to amend the amendment.

Mr. Stevenson moved to lay it upon the table.

Which was lost.

The question then recurring upon the amendment to the amendment.

Was adopted.

The question then recurring upon the amendment as amended.

Was adopted.

Mr. Simpson moved to amend section third.

Which was lost.

Mr. Humason offered to amend section five.

Which was lost.

On motion of Mr. Mallory, the bill was ordered engrossed, to be read third time to-morrow.

Mr. Reed gave notice that, on some future day, he would introduce a bill to authorize a State geological survey.

Mr. Moores gave notice that, on some future day, he would introduce a bill for the relief of Matheny & Wright.

On motion, the House adjourned.

FRIDAY, OCTOBER 10, 1862.

House met pursuant to adjournment.

Absent—Messrs. Cummins, Haines, Richardson.

The journal of yesterday was read and approved.

Mr. Engle presented a petition from certain citizens, in relating to the passing and repassing of teams and wagons.

On motion, the petition was referred to the Committee on Roads and Highways.

Mr. Moores, Chairman of Committee on Engrossed Bills, reported H. B. No. 45, as correctly engrossed.

Mr. McCoy, Chairman of Committee on Counties, to whom was referred the petition in relation to changing the boundaries between Umpqua and Douglas counties, reported by bill.

H. B. No. 83: An Act to change the boundaries between Douglas and Umpqua counties.

Which was read first time and ordered not to be printed.

Mr. Minto, Chairman of committee to whom was referred H. B. No. 5, an Act to tax dogs, reported the bill back to the House with amendments, and recommended its passage.

Mr. Smith, Chairman of committee to whom was referred H. B. No. 67 and S. B. No. 22, reported the same back to the House and recommended their passage.

Mr. Moores moved to reconsider the vote by which H. B. No. 83 was ordered not to be printed.

On motion of Mr. Wilson, a call of the House was ordered.

Absent—Messrs. Cummins, Dufur, Haines.

On motion, Mr. Cummins was granted leave of absence.

The Sergeant-at-Arms announced Messrs. Dufur and Haines as in attendance, whereupon a further call of the House was dispensed with.

The question then being upon the reconsideration of the vote.

Which was lost.

Mr. Gillette gave notice that, on an early day, he would introduce a bill to authorize the construction of wharves on navigable waters.

Mr. Fay offered a joint memorial asking for establish-

ment of post route to Brown Town, Josephine county, and the establishment of a post office at said place.

Which was adopted.

Mr. Wasserman gave notice that, on some future day, he would introduce a bill entitled "An Act to incorporate the First Hebrew Benevolent Society of Portland."

Mr. Humason offered a resolution requiring the Chief Clerk to furnish the United States Senator elect with a copy of memorials in relation to the establishing post routes in this State, and from Dalles to Salt Lake.

On motion, the resolution was adopted.

Mr. Mallory gave notice that, on some future day, he would introduce a bill in relation to gambling.

H. B. No. 66: An Act to amend an Act, entitled "An Act, to regulate roads."

Was read second time.

On motion, the bill was referred to a Select Committee of five.

The Speaker appointed on said committee, Messrs. Simpson, Wilkins, Dufur, Smith, Humason.

H. B. No. 45: An Act to incorporate the city of Portland.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Gillette, Haines, Kerns, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Watson, Mr. Speaker—25.

Nays—None.

So the bill passed.

H. B. No. 71: An Act to regulate the salaries of County Treasurers.

Was read third time.

On motion of Mr. Brown, was laid upon the table.

H. B. No. 69: An Act to provide for the purchase of safes for the use of the State.

Was read third time.

Mr. Humason moved to strike out that portion of the bill in relation to the purchase of safe for the use of State Treasurer.

Which was lost.

The question being on the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Dufur, Engle, Gillette, Haines, Hemenway, Kerns, Mallory, Minto, Moores, McCully, McCoy, Ramsby, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—26.

Nays—Messrs. Blair, Humason, Witham—3.

So the bill passed.

H. B. No. 80: An Act to incorporate the city of Salem.
Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Dufur, Engle, Fay, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Smith, Van Dyke, Wilkins, Witham, Mr. Speaker—23.

Nays—None.

So the bill passed.

H. B. No. 79: An Act to amend an Act establishing a pilotage on Columbia and Willamette rivers.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Dufur, Engle, Fay, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Smith,

Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—None.

So the bill passed.

S. B. No. 22: An Act for the relief of School District No. 5, in Josephine county.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Fay, Haines, McClure, Minto, Moores, McCoy, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Watson, McCully, Mr. Speaker—24.

Nays—Messrs. Hemenway, Kerns, Ramsby—3.

So the bill passed.

H. B. No. 67: An Act for the relief of School District No. 36, in Linn county.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Conyers, Dufur, Fay, Humason, Haines, McClure, Minto, Moores, McCully, McCoy, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Watson, Mr. Speaker—22.

Nays—Messrs. Collard, Engle, Hemenway, Kerns, Ramsby, Witham—6.

So the bill passed.

Mr. Reed introduced the following bill:

H. B. No. 82: An Act to protect Fair grounds.

Which was read first time and ordered not to be printed.

On motion of Mr. Humason, the bill was referred to Committee on Commerce.

Mr. Haines introduced the following bill:

H. B. No. 84: An Act to allow mileage to the Judges of the Supreme Court.

Was read first time.

Mr. Gillette moved to reject the bill.

Mr. Smith moved the main question be now put.

Which was carried.

The question being upon the rejection of the bill.

The yeas and nays were demanded, which resulted as follows:

Yeas—Messrs. Applegate, Blair, Collard, Engle, Gillette, Hemenway, Kerns, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Smith, Wilkins, Witham, Watson, Mr. Speaker—18.

Nays—Messrs. Brown, Fay, Humason, Haines, Moores, Reed, Stevenson, Simpson, Van Dyke, Wasserman, Wilcox—11.

So the bill was rejected.

Mr. Humason gave notice that, on some future day, he would introduce a bill to raise the salary of Judges of the First and Fifth Judicial Districts.

Mr. Minto moved to reconsider the vote upon the rejection of H. B. No. 84.

Mr. ——— moved a call of the House.

Which was lost.

The question then recurring upon the reconsidering the vote.

Was lost.

Mr. Blair introduced the following bill:

H. B. No. 85: An Act to prevent buck sheep running at large.

Which was read first time and ordered not to be printed.

Mr. Applegate introduced the following bill:

H. B. No. 66: An Act to prevent stallions from running at large.

Which was read first time and ordered not to be printed.

Mr. Stevenson introduced the following bill:

H. B. No. 87: An Act to repeal section twenty-two of an Act to protect Chinamen mining in Oregon.

Which was read first time.

Mr. Wasserman introduced the following bill:

H. B. No. 87: An Act providing for the rights of way to bring water into the city of Portland by W. S. Ladd and his associates.

Which was read first time.

Mr. Reed introduced the following bill:

H. B. No. 89: An Act authorizing a geological survey of the State.

Which was read first time.

Mr. Fay offered a resolution which the Speaker declared out of order.

Mr. Smith, Chairman of committee to whom was referred the petition of the citizens of Albany, asking for a charter of incorporation, reported by bill.

H. B. No. 90: An Act to incorporate the town of Albany.

On motion, the rules were suspended as follows, and bill read first time by title:

Yeas—Messrs. Applegate, Brown, Collard, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—27.

Nays—None.

Mr. Mallory introduced the following bill:

H. B. No. 91: An Act to consolidate the counties of Umpqua and Douglas.

On motion of Mr. Gillette, the rules were suspended as follows:

Yeas—Messrs. Blair, Brown, Collard, Dufur, Gillette, H. J.—23.

Humason, Hemenway, Haines, Mallory, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson—23.

Nays—Messrs. Applegate, Engle, Stevenson, Mr. Speaker—4.

So the bill was read first time by title and ordered not to be printed.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Fay, Cummins, Humason, Kerns, Mallory, Reed.

S. B. No. 14: An Act to provide a Code for civil procedure.

Was read third time.

On motion of Mr. Humason, a call of the House was ordered.

Absent—Messrs. Brown, Kerns, Gillette, Fay, Mallory, Minto, Moores, Reed, Stevenson, Witham, Wilcox, Wilson.

Whereupon, the Sergeant-at-Arms was ordered to bring in the absentees.

Upon the Sergeant-at-Arms announcing the members present, a further call of the House was dispensed with.

Mr. Humason offered a substitute to section. 1,167.

Which was adopted.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—29.

Nays—None.

So the bill passed.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed House memorial for the establishment of mail route to Salt Lake via Umatilla and Baker counties. Also, the following House Bills:

H. B. No. 17: For the relief of B. F. Bonham, by amending to pay him the sum of \$16 19, instead of \$54.

H. B. No. 40: For relief of Alfred Allen.

H. B. No. 57: Relative to Clackamas Bridge Company.

H. B. No. 60: To pay members of the Legislative Assembly.

All of which are herewith returned for enrollment.

Also, the Senate has passed the inclosed S. B. No. 25, relative to taking the oath of allegiance in certain cases, and respectfully ask your concurrence in the same.

S. A. CLARK, *Chief Clerk.*

Mr. Conyers moved to concur in Senate amendment to H. B. No. 17, an Act for the relief of B. F. Bonham.

Which was lost.

The following messages were received from the Senate:

MR. SPEAKER: I am instructed to inform you that the President has signed the accompanying H. B's:

H. B. No. 33.

H. B. No. 11.

H. B. No. 53.

H. B. No. 52.

H. B. No. 48.

H. B. No. 35.

H. B. No. 24.

Which are herewith returned.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. B. No. 31, in relation to the county seat of Umpqua county, which is herewith transmitted for the consideration of the House.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following S. B's:

S. B. No. 1: To prevent the immigration of negroes and mulattoes.

S. B. No. 19: To locate public lands for the State.
Which are herewith transmitted for the consideration of the House.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. B. No. 13, providing for the working of public roads and highways, which is herewith transmitted for the consideration of the House.

S. A. CLARK, *Chief Clerk.*

Mr. Fay introduced the following bill:

H. B. No. 92: An Act relating to mining claims, ditches and flumes.

Which was read first time and ordered not to be printed.

Mr. Humason offered a resolution requesting the Committee on Ways and Means to report at an early day, a bill for a general appropriation law.

Which was lost.

Mr. Moores introduced the following bill:

H. B. No. 93: An Act relating to transmitting telegraphic messages.

Which was read first time.

On motion, the House adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Cummins, Gillette, Humason.

S. B. No. 31: An Act to provide for the location of the county seat of Umpqua county.

Was read first time.

On motion, was laid on the table.

S. B. No. 13: An Act to provide for working of public roads and highways.

Was read first time.

S. B. No. 19: An Act to locate public lands for the State.

Was read first time.

S. B. No. 25: An Act to require the oath of allegiance in certain cases.

Was read first time.

Mr. Moores moved to suspend the rules and read the bill second time by title.

Which was lost.

S. B. No. 1: An Act to prevent the immigration of negroes and mulattoes into the State.

Was read first time.

H. B. No. 70: An Act for the relief of Waller and Geer.

Was read second time and referred to Committee on Claims.

H. B. No. 5: An Act to tax dogs and provide for the killing of wild animals.

Was read third time.

Mr. Hemenway moved to amend, by inserting gray and bald eagles, at the rate of \$5 00 each.

Mr. Haines moved to amend the amendment, by including rats and snakes, at twenty-five cents each.

Which was lost.

Mr. Ramsby moved to amend the amendment of Mr. Hemenway, by saying \$1 00.

Which was carried.

The question then recurring upon the adoption of the amendment as amended.

Was carried.

The question then recurring upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Blair, Brown, Conyers, Engle, Gillette, Humason, Haines, Minto, Moores, McCully, Ramsby, Reed, Van Dyke, Mr. Speaker—14.

Nays—Messrs. Collard, Fay, Hemenway, Kerns, McClure,

McCoy, Smith, Simpson, Wasserman, Watkins, Witham, Wilcox, Wilson, Watson—14.

So the bill was lost.

H. B. No. 77: An Act to amend an Act, entitled "An Act, relating to elections."

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Engle, Fay, Gillette, Humason, Haines, Hemenway, McClure, Moores, Ramsby, Reed, Simpson, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—20.

Nays—Messrs. Kerns, Minto, McCully, McCoy, Stevenson, Van Dyke, Wasserman, Wilson—8.

So the bill passed.

Mr. Simpson gave notice that, on some future day, he would introduce a bill to authorize parties having claims against the late Territorial Government, to bring suit in the Circuit Court against the State of Oregon.

Mr. Mallory gave notice that, on some future day, he would introduce a bill to regulate the time of holding Circuit and Supreme Courts.

H. B. No. 64: An Act to organize the militia.

Was read third time.

On motion of Mr. Simpson, the bill was laid upon the table, to be made the order of the day for Monday next, at 11 o'clock, A. M.

On motion, the House resolved itself into Committee of the Whole.

Mr. Dufur in the Chair.

After some time spent therein, the Committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole having had under consideration H. B. No. 49, an Act to regulate the

salaries of County Judges, beg leave to report the same back to the House with amendments. Also,

H. B. No. 68: An Act to create a fund for the erection and support of an Asylum or Asylums for the insane and idiotic, the deaf, dumb and blind, and recommend its passage.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Blair, Brown, Dufur, Engle, Haines, Mallory, Kerns, Minto, Moores, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—21.

Nays—Messrs. Fay, Hemenway, McCully—3.

So the bill passed.

Mr. Simpson offered a resolution instructing the Committee on Ways and Means to take into consideration the propriety of making an additional appropriation to provide for the organization of the militia.

Which was adopted.

Mr. Fay offered a resolution instructing the Committee on Education to report whether any amendments to the existing school law are expedient, and to report forthwith.

Which was adopted.

Mr. Wasserman gave notice that, on an early day, he would introduce a bill entitled "An Act to amend an Act to regulate the Fire Department of the city of Portland."

On motion, the House adjourned.

SATURDAY, OCTOBER 11, 1862.

House met pursuant to adjournment.

Absent—Messrs. Cummins, McCoy, Richardson, Simpson.

The journal of yesterday was read and approved.

On motion of Mr. Simpson, members who were absent on the passage of S. B. No. 14, An Act to provide a code for civil procedure, were allowed to cast their vote upon the bill.

Those voting in the affirmative were Messrs. Brown, Kerns, Moores, Reed.

Mr. Fay voted "no."

Mr. Witham presented a petition from the citizens of Corvallis, asking for a change in the boundaries of their corporation.

Which was referred to a Special Committee, consisting of Messrs. Witham, Fay, Collard.

Mr. Simpson presented a petition from the citizens of Polk county, asking for a reduction of the salary of the County Judge.

Which was referred to Committee of the Whole.

Mr. Minto presented a petition of certain citizens of Salem, asking for a change of the boundaries of their corporation.

Which was referred to a Select Committee of three, consisting of Messrs. Minto, Engle, Reed.

Mr. Stevenson, member of Committee on Engrossed Bills, reported the following bills as correctly engrossed:

H. B. No. 56.

H. B. No. 59.

H. B. No. 65.

On motion, leave of absence was granted Mr. Applegate.

Mr. Mallory, Chairman of Committee on Federal Rela-

tions, to whom was referred the memorial of Mr. Minto, reported the same back to the House without recommendation.

Which was adopted.

Mr. Mallory, Chairman of Committee on Federal Relations, to whom was referred the memorial of Mr. Fay, in relation to instructing our Senators and Representative in Congress, to modify the treaty with China, to prevent the immigration of Chinese into Oregon, reported it back to the House and recommended its adoption.

The question being upon the adoption of the resolution, resulted as follows :

Yeas—Messrs. Blair, Brown, Conyers, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—27.

Nays—Mr. Gillette—1.

So the resolution was adopted.

Mr. Wilkins, Chairman of committee to whom was referred the petition from the citizens of Eugene City, asking for a charter of incorporation, reported by bill.

H. B. No. 94: An Act to incorporate the city of Eugene.

Which was read first time and ordered not to be printed.

Mr. Simpson, Chairman of committee to whom was referred H. B. No. 66, an Act to amend an Act, entitled "An Act to regulate roads," reported the same back to the House and recommended that it lay upon the table.

Which was adopted.

Mr. Witham, Chairman of committee to whom was referred the petition of the citizens of Corvallis, reported by bill.

H. B. No. 95: An Act to extend the corporate limits of the city of Corvallis.

Was read first time and ordered not to be printed.

H. J.—24

Mr. Brown presented bills from the offices of "Oregonian" and "Weekly Times," against State Library.

Which were referred to Committee on Claims.

Mr. Reed, of Committee on Enrolled Bills, reported the following bills as correctly enrolled:

H. B. No. 40.

H. B. No. 57.

H. B. No. 78: An Act to prevent negroes and mulattoes from coming into the State.

Was read second time and referred to Committee of the Whole.

H. B. No. 83: An Act to change the boundaries between Douglas and Umpqua counties.

Came up on second reading.

On motion of Mr. Wilson, was laid upon the table.

H. B. No. 85: An Act to prevent buck sheep from running at large.

Was read second time.

H. B. No. 86: An Act relating to stallions.

Was read second time and referred to Select Committee of five, consisting of Messrs. Simpson, Wilson, Hemenway, Engle, Collard.

Mr. Simpson, moved to refer to Committee of the Whole.

Which was lost.

Mr. Mallory moved to amend by striking out section six.

Which was carried.

Mr. Hemenway moved to amend section one, by striking out fifteen months and inserting two years.

Mr. Engle moved to amend the amendment, by saying eighteen months.

Which was adopted.

H. B. No. 87: An Act to repeal section twenty-two of an Act to protect Chinamen mining in Oregon.

Was read second time.

H. B. No. 88: An Act to grant the right of way to W. S. Ladd and his associates to carry water into the city of Portland.

Was read second time.

H. B. No. 90: An Act to incorporate the town of Albany.
Came up on second reading.

On motion of Mr. Simpson, the rules were suspended, as follows:

Yeas—Messrs. Brown, Collard, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Witham, Wilson, Watson—26.

Nays—Messrs. Conyers, Fay, Mr. Speaker—3.

So the bill was read second time by title.

H. B. No. 91: An Act to consolidate the counties of Umpqua and Douglas.

Was read second time and laid upon the table.

H. B. No. 92: An Act relating to mining claims, ditches and flumes.

Was read second time.

S. B. No. 25: An Act to require the oath of allegiance in certain cases.

Was read second time.

On motion of Mr. Dufur, the bill was made the order of the day for Monday, at 2 o'clock, P. M.

On motion of Mr. Mallory, H. B. No. 91 was taken from the table.

Mr. Mallory moved to amend, by striking out the words "district and State officers," in section three.

Which was adopted.

Mr. Haines moved to amend, by adding an additional section.

Which was lost.

S. B. No. 19: An Act to locate public lands donated by Congress.

Was read second time.

S. B. No. 13: An Act in relation to working roads and highways.

Was read second time.

Mr. Collard moved to postpone until the 4th of July.

Pending which, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Cummins, Haines, Mallory, Stevenson, McCoy.

The Speaker announced that he had signed the following bills:

H. B. No. 40.

H. B. No. 57.

H. B. No. 60.

The question being upon the motion to postpone S. B. No. 13 until the 4th of July.

Mr. Simpson moved to lay upon the table.

Which was lost.

Mr. Fay moved that the main question be now put.

Which was carried.

The question recurring upon the postponement of the bill.

The yeas and nays were demanded, which resulted as follows:

Yeas—Messrs. Blair, Collard, Dufur, Engle, Fay, Gillette, Van Dyke, Witham—8.

Nays—Messrs. Brown, Conyers, Humason, Haines, Hemmaway, Kerns, Mallory, McClure, McCully, Ramsby, Richardson, Reed, Smith, Simpson, Wasserman, Wilcox, Watson, Mr. Speaker—21.

So the bill was not postponed.

Mr. Fay moved to refer to Committee of the Whole.

Which was lost.

Mr. Dufur moved to amend section first.

Which was lost.

Mr. Moores moved to amend section twelve.

Which was adopted.

Mr. Humason moved to amend the amendment.

Which was adopted.

Mr. Haines moved to amend by exempting the counties in the Willamette Valley.

Which was lost.

The following message was received from the Senate :

MR. SPEAKER : I am instructed to inform you that S. B. No. 14, commonly called the Code, is duly enrolled, and herewith transmitted for your signature.

S. A. CLARK, *Chief Clerk.*

The speaker announced that he had signed S. B. No. 14.

The following message was received from the Governor :

EXECUTIVE OFFICE, October 11, 1862.

Gentlemen of the House of Representatives :

I have approved and signed the following House Bills :

H. B. No. 52 : An Act for the relief of H. Camon.

H. B. No. 53 : An Act for the relief of H. G. Blake.

H. B. No. 11 : An Act to provide for the purchase and distribution of the reports of the decisions of the Supreme Court of Oregon.

H. B. No. 60 : An act to amend An Act to provide for the payment of expenses of Legislature.

H. B. No. 35 : An Act to create the Fifth Judicial District.

H. B. No. 24 : For the relief of school district No. 16, in Josephine county.

ADDISON G. GIBBS, *Governor of Oregon.*

Mr. Simpson gave notice that, on some future day, he would introduce a bill to locate the Penitentiary at Eola, in Polk county.

Mr. Moores, Chairman Special Committee, introduced a bill for relief of Joaquin Young.

Which was read first time and referred to Committee on Claims.

The Joint Committee to whom was referred the relocation of the Penitentiary, made a report which was laid upon the table.

S. B. No. 1: An Act to prevent the immigration of negroes and mulattoes into Oregon.

Was read second time.

On motion of Mr. Humason, was laid upon the table.

Mr. Mallory introduced the following bill:

H. B. No. 97: An Act to regulate times of holding Circuit and County Courts.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Brown, Collard, Conyers, Fay, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—26.

Nays—Mr. Dufur—1.

So the bill was read first time by title.

Mr. Simpson introduced the following bill:

H. B. No. 98: An Act to provide for adjudication and payment of claims against the late Territorial Government.

Which was read first time.

Mr. Mallory introduced the following bill:

H. B. No. 99: An Act relating to gambling.

Which was read first time.

Mr. Gillette introduced the following bill:

H. B. No. 100: An Act relating to wharves.

Which was read first time.

Mr. Wasserman introduced the following bill:

H. B. No. 101: An Act to regulate the Fire Department in the city of Portland.

Which was read first time.

Mr. Moores introduced the following bill:

H. B. No. 102: An Act to prescribe an oath of office to persons hereafter elected or appointed to any State, county or municipal office in this State.

Which was read first time.

Mr. Moores introduced the following bill:

H. B. No. 103: An Act for the relief of Matheny and Wright.

Which was read first time and referred to Committee on Claims.

Mr. Haines introduced the following bill:

H. B. No. 104: An Act to increase the salaries of Judges of First and Fifth Judicial Districts.

Which was read first time.

Mr. Wasserman introduced the following bill:

H. B. No. 105: An Act to incorporate the First Hebrew Benevolent Society in the city of Portland.

Which was read first time.

Mr. Fay moved to adjourn.

Which was lost.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has failed to recede from its amendment to H. B. No. 17, which is herewith returned. Also, that the Senate has passed S. B. No. 40, to pay all irregular services rendered in conveying Waller, a convict, to officers of justice. And S. B. No. 42, supplemental to Code.

S. B. No. 22, being truly enrolled, is now returned for the signature of the Speaker.

S. A. CLARK, *Chief Clerk.*

Mr. Simpson moved that the House insist upon its refusal to concur with the Senate's amendment to H. B. No.

17, an Act for the relief of B. F. Bonham, and that a committee be appointed on the part of the House to confer with a similar committee on the part of the Senate, in regard to the bill.

On motion of Mr. Gillette, the bill was laid upon the table.

Mr. Reed gave notice that, on an early day, he would introduce a bill to amend an Act, entitled "An Act to regulate the Treasury Department."

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the President has signed the following bills:

H. B. No. 57: Relative to Clackamas Bridge Company.

H. B. No. 60: Relative to pay of Legislative expenses.

H. B. No. 40: Relief of Alfred Allen.

All of which are herewith returned.

H. B. No. 45: To amend charter of Portland.

Which is herewith transmitted for enrollment.

S. B. No. 30: Relating to slaughter houses.

S. B. No. 33: To pay Code Commission.

S. J. R. No. 8: Relating to location of the agricultural college.

Which are transmitted for the consideration of the House.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the accompanying Senate bills:

S. B. No. 9: Relative to private incorporations.

S. B. No. 17: Relief of Wasco county.

S. B. No. 26: Relating to Public Administrators.

S. B. No. 28: To appraise property held under execution.

S. B. No. 29: Relief of L. Besser, Sub Lessee of the Penitentiary.

S. B. No. 32: Relative to returning votes cast for State Senator.

Which are herewith transmitted for the consideration of the House.

The Senate has also concurred in the following:

H. J. R. No. 11: Relating to Tillamook mail route.

H. J. R. No. 12: Relating to mail route in Josephine county.

The Senate has also passed the accompanying H. B's :

H. B. No. 34: Relief of David Linn.

H. B. No. 41: To incorporate Dalles City.

H. B. No. 54: Relief of John Fullerton.

H. B. No. 80: Incorporating city of Salem.

Which are herewith returned for enrollment.

S. A. CLARK, *Chief Clerk.*

On motion of Mr. Mallory, H. B. No. 59, an Act to prevent usury, was made the order of the day, on Monday, at 10 o'clock, A. M., for the further consideration of the bill.

On motion of Mr. Gillette, the House adjourned until Monday morning, at 10 o'clock.

MONDAY, OCTOBER 13, 1862.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Blair, Brown, Engle, Richardson.

The journal of Saturday was read and approved.

H. B. No. 59: An Act to prevent usury, being the order of the day at 10 o'clock, was taken up.

Mr. Humason moved that the House reconsider the vote by which the amendment of Mr. Stevenson, to insert fifteen per cent., was lost.

Mr. Haines moved to lay the bill upon the table.

Which was lost.

The question recurring upon the reconsideration of the vote.

Was lost.

Mr. Wasserman offered an amendment, by excluding
H. J.—25

from the provisions of this Act the counties of Multnomah, Wasco, Baker and Umatilla.

Which was decided out of order by the Speaker.

Mr. Engle moved to reconsider the vote on striking out section five.

Which carried.

The question then being upon striking out section five, upon which the yeas and nays were demanded, resulted as follows:

Yeas—Messrs. Blair, Collard, Engle, Hemenway, Kerns, McClure, Minto, Richardson, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—17.

Nays—Messrs. Conyers, Cummins, Dufur, Fay, Gillette, Humason, Haines, Mallory, Moores, McCully, McCoy, Ramsby, Smith, Wasserman—14.

So the section was struck out.

The time having arrived for taking into consideration H. B. No. 64, an Act to organize the militia of the State of Oregon, the bill was taken up.

On motion of Mr. Reed, was referred to Committee on Federal Relations.

On motion of Mr. Mallory, the rules were suspended, as follows:

Yeas—Messrs. Collard, Conyers, Cummins, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—22.

Nays—Messrs. Blair, Dufur, Fay, Humason, Haines, Minto, Moores, McCully, Wasserman—9.

So the consideration of H. B. No. 59 was resumed.

Mr. Van Dyke offered a substitute to section five.

Which, on motion of Mr. Mallory, was laid upon the table.

Mr. Mallory moved to strike out section six.

Which was carried.

Mr. Mallory moved to amend section three, by striking out the word "creditor," and insert "debtor."

Which was carried.

Mr. Mallory moved to strike out in section three all after the word contract.

Which was carried.

Mr. Humason offered an amendment to section three.

Mr. Fay moved to postpone the further consideration of the bill until 7 o'clock, P. M.

Which was lost.

The question recurring upon the amendment of Mr. Humason*

Was lost.

Mr. Moores moved to amend section one, by striking out the words "judgments and decrees."

Mr. Humason offered to amend the amendment of Mr. Moores, by inserting a proviso excluding previous judgments and contracts from the provisions of this Act.

Pending which, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Mallory, Richardson, Stevenson, Wilson.

S. B. No. 25: An Act to require the oath of allegiance in certain cases.

Being the order of the day for this hour, was taken up for consideration.

Mr. Humason moved to strike out section three.

Which was lost.

Mr. Simpson offered an amendment to section three.

Which was adopted.

Mr. Richardson offered an amendment to section one.

Mr. Fay offered an amendment to the amendment, by striking out the word "government" and insert "laws."

Which was lost.

The question recurring upon the amendment of Mr. Richardson, was adopted.

Mr. Dufur offered to further amend section first by adding at the close the following:

Provided, that the Secretary of State may, if he deem proper, call upon any such claimant for the production of other evidence of his loyalty as aforesaid, and if such claimant when so required, shall fail to produce the affidavits of two other persons as hereinafter specified, the Secretary shall refuse to draw such warrant. Said affidavit shall be in the following form, and may be sworn to by any officer in this State having authority to administer oaths:

STATE OF OREGON, }
COUNTY OF —, } ss.

I, A B, being first duly sworn, doth depose and say, that I am a resident of the county of —, and State of Oregon; that I will support, protect and defend the Constitution and Government of the United States and of this State, against all enemies, whether foreign or domestic. That I am personally acquainted with [here insert the name of the claimant], that he is a loyal citizen of the United States and of this State, and not aiding or abetting in any way the enemies of the United States or of this State, all of which I verily believe, so help me God.

The yeas and nays being demanded upon the adoption of the amendment, resulted as follows:

Yeas—Messrs. Conyers, Dufur, Engle, Gillette, Hemenway, Kerns, Minto, Ramsby, Richardson, Stevenson, Wasserman—11.

Nays—Messrs. Blair, Brown, Collard, Cummins, Fay, Humason, Haines, Mallory, McClure, Moores, McCully, McCoy, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—21.

So the amendment was not adopted.

Mr. Stevenson moved to indefinitely postpone the bill.

Which was lost.

Mr. Hemenway offered an amendment to section first.

Which, on motion of Mr. Moores, was laid upon the table.

Mr. Minto offered an amendment to section three.

Which, on motion of Mr. Stevenson, was laid upon the table.

The following message was received from the Governor:

EXECUTIVE OFFICE,
SALEM, October 13, 1862. }

Gentlemen of the House of Representatives:

I herewith return H. B. No. 57, a bill to amend an Act, entitled "An Act, to incorporate the Clackamas River Bridge Company," passed January 8, 1852, without my approval.

The first section of the bill under consideration provides that the County Commissioners' Court of Clackamas, may change or regulate the rates of toll, &c. There is no such tribunal as "County Commissioners' Court" known to our Constitution or laws. There is such a tribunal as the County Court of the State of Oregon, for the county of Clackamas, having jurisdiction the subject matter of the bill.

And if tolls are required to be "changed and regulated," it should be done by such tribunal, and not by one existing only in name, as the object can be accomplished in no other way. Again, the last section provides that, "all laws inconsistent with this Act be, and the same are hereby repealed." If any laws are proposed to be repealed, they should be pointed out or referred to in the repealing clause.

ADDISON C. GIBBS, *Governor of Oregon.*

Mr. Simpson moved to lay the message upon the table.

Which was lost.

The question being, shall the bill pass, notwithstanding the veto of the Governor?

The yeas and nays being called, resulted as follows:

Yeas—None.

Nays—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Wasserman, Wilson, Wilkins, Witham, Watson, Mr. Speaker—28.

So the bill was lost.

The following message was received from the Governor:

EXECUTIVE OFFICE,
SALEM, October, 13, 1862. }

Gentlemen of the House of Representatives:

I have approved and signed H. B. No. 40, a bill for the relief of Alfred Allen.

ADDISON C. GIBBS, *Governor of Oregon.*

The following veto message was received from the Governor, with his objections to H. B. No. 48:

EXECUTIVE OFFICE,
SALEM, October 13, 1862. }

Gentlemen of the House of Representatives:

I herewith return H. B. No. 48, a bill to change the line between Washington and Clackamas counties, without approval. My objections are based upon the fact that the Constitution has prescribed the manner in which Acts and parts of Acts shall be amended, which has not been complied with in this instance. Section twenty-two, Article fourth of the Constitution requires that an "Act revised or section amended, shall be set forth and published at full length." So that any section amended shall "set forth at full length" the section as amended, including the change or new matter as well as that which remains unchanged.

Whether that provision of the Constitution is wise or not, is not for me to decide; the provision is plain and all should obey it, particularly those who have sworn to support the Constitution. The object of the framers of the Constitution was to provide that the laws should not be scattered about in different places, but that each section should be complete in itself, and that the subject matter thereof should not be in different sections and places, but within reach of the common observer.

This bill under consideration proposes to amend the Act, defining the boundaries of Washington county. Yet the section proposed to be amended is not referred to, and set forth at full length.

Again, section two of the bill says, "All laws inconsistent with this Act is [are] hereby repealed," without reference to any Act of [or] section intended to be repealed."

A new bill, free from the above objections, can be introduced and passed this session, if desired.

ADDISON C. GIBBS, *Governor of Oregon.*

The question being, shall the bill pass notwithstanding the objections of the Governor?

The yeas and nays were demanded, which resulted as follows:

Yeas—Messrs. Collard, Conyers, Engle, Hemenway, Kerns, McCoy—6.

Nays—Messrs. Blair, Brown, Cummins, Dufur, Fay, Humason, Haines, McClure, Minto, Moores, McCully, Ramsby, Richardson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—21.

So the bill was lost.

The following message was received from the Governor:

EXECUTIVE OFFICE,
SALEM, October 13, 1862.

Gentlemen of the House of Representatives:

I have approved and signed H. B. No. 14, a bill to annul an Act, entitled "An Act, to incorporate the town of Astoria," passed January 18, 1856.

ADDISON C. GIBBS, *Governor of Oregon.*

The following veto message was received from the Governor, with his objections to H. B. No. 33:

EXECUTIVE OFFICE, }
SALEM, October 13, 1862. }

Gentlemen of the House of Representatives:

I herewith return H. B. No. 33, a bill to change the name of Curry county, without approval. My objections are purely Constitutional.

I have no objection to a change of the name of Curry county to that of Lyon. That is a question of policy of which the Legislature must judge. But all changes in our laws must be made in the manner prescribed by the Con-

stitution, or such changes will be void and lead to interminable confusion.

Section twenty-two, article fourth, of the Constitution of this State, reads as follows:

"No Act shall ever be revised or amended by mere reference to its title, but the Act revised or section amended, shall be set forth and published at full length."

Section first of the "bill to change the name of Curry county" is as follows:

"Be it enacted by the Legislative Assembly of the State of Oregon, That that portion of the State of Oregon, hereafter and at present known as the county of Curry, shall hereafter be known and designated as the county of Lyon."

This section of the [bill] in effect, proposes to amend the sections of the Act organizing Curry county, so as to place the name of Lyon in every place where Curry is used, so that in reading the Act organizing Curry county, the word Lyon shall be used wherever Curry occurs. To amend, is to *correct, grow better*. Clearly, then, what is proposed, is an amendment to the Act creating Curry county. Yet there is no reference in this bill to the title of the Act, or any section therein, proposed to be amended. Nor is the Act, or any section thereof, *as amended*, "set forth and published at full length," as the Constitution requires.

To amend a section of an Act, the bill should say: *"Be it enacted by the Legislative [Assembly] of the State of Oregon, That section — of an Act, &c., is hereby amended to read as follows,"* reciting the new matter and all of the old section which is not desired to be changed. This is not done in the bill under consideration, nor does it repeal any part of the Act proposed to be amended.

If this bill shall have the form of law and be published in our statutes, many may be deceived as to its legal effect. I can conceive how much trouble and expense may be borne by the citizens of Curry county under it. To illustrate, suppose a person brings a suit entitled "In the Circuit Court of the State of Oregon, for the county of Lyon:" the defendant's counsel objects to the jurisdiction, and insists that there is no such Court as the Circuit Court of the State of Oregon, for the county of Lyon, and that there is such Court for the county of Curry. The Court would be bound to hold that the Constitutional provision had not been complied with in changing the name of Curry, "to be known and designated" as Lyon. And that it had no jurisdiction of the case and that it must be dismissed. Nor

could any amendment relieve the plaintiff from his trouble and cost, for where the court has no jurisdiction, none can be given by amendment. The plaintiff would then have to pay costs, and wait until the next term of court—twelve months—to enforce his rights in an action properly entitled. This is but one instance of many hardships that might follow. A new bill can be introduced, free from the above Constitutional objections, and passed at this session.

ADDISON C. GIBBS, Governor of Oregon.

The question being, shall ~~the bill pass~~ notwithstanding the objections of the Governor?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Collard, Engle—2.

Nays—Messrs. Blair, Brown, Conyers, Dufur, Fay, Humason, Haines, Hemenway, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—23.

So the bill was lost.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following bills:

S. B. No. 37: Relating to seat of Government.

S. B. No. 12: Establishing table of distances from county seats to Penitentiary, and Sheriffs' fees for conveying convicts.

Which are herewith transmitted for the consideration of the House.

H. B. No. 46: Relative to building bridges, with certain amendments which are attached.

H. B. No. 67: Relief of school district in Linn county.

Which are herewith returned.

S. A. CLARK, Chief Clerk.

Mr. Wasserman presented a petition from a committee of members of the Independent Order of Odd Fellows, asking for an amendment of their charter.

Which was referred to committee of two, consisting of Messrs. Wasserman and Moores.

Mr. Simpson presented petitions from the citizens from Polk county remonstrating against the reduction of salary of County Judge and the election of Commissioners.

Origination of Mr. Simpson, the Committee of the Whole were relieved from further consideration of the petitions from the citizens of Polk county in relation to the reduction of salary of County Judge and the election of Commissioners.

On motion, the petitions and remonstrances were referred to a Special Committee of three. Made, agreed and ordered.

Consisting of Messrs. Wilcox, Smith, McCoy.

Mr. Dufur, Chairman of committee to whom was referred the petition of J. H. Baker and others, asking for a law to regulate the passing of teams and carriages traveling on roads and highways reported by bill.

H. B. No. 106, An Act to protect persons traveling on highways.

Which was read first time.

Mr. Garrison, Chairman of Committee on Enrolled Bills, reported the following H. B's as correctly enrolled:

H. B. No. 41.

H. B. No. 80.

Mr. Stevenson, Chairman of committee to whom was referred H. B. No. 47, an Act to encourage the cultivation of tobacco, reported the bill back to the House with amendments, and recommended their adoption.

Mr. Simpson, Chairman of committee to whom was referred H. B. No. 86, reported the bill back to the House and recommended that it do not pass.

On motion, the report was adopted.

Mr. Simpson, Chairman of committee to whom was referred H. B. No. 70, an Act for the relief of Waller and Geer, reported the same back to the House with the affidavit of Mr. Geer, and recommended the passage of the bill.

On motion, the report was adopted.

Mr. Blair offered the following resolution:

Resolved, That hereafter no member shall speak more than five minutes, nor more than once on the same question.

On motion, the resolution was adopted.

Mr. Wasserman gave notice that, on some future day, he would introduce a bill to amend an Act, entitled "An Act to incorporate the Clackamas River Bridge Company."

Mr. Stevenson offered a joint resolution.

Mr. Mallory offered an amendment to the resolution.

Which was adopted.

On motion of Mr. Stevenson, the resolution was laid upon the table.

Mr. Wasserman, Chairman of Committee on whom was referred H. B. No. 82, an Act to protect fair grounds, reported the same back to the House and recommended its passage.

Mr. Collard, Chairman of Committee on Corporations, introduced the following bill:

H. B. No. 107: An Act to amend an Act, entitled "An Act to incorporate the Clackamas River Bridge Company."

Which was read first time.

On motion, the rules were suspended as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Dufur, Engle, Fay, Humason, Haines, Hemehway, Kerns, Mallory, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilson, Wooten. Mr. Speaker, 20.

Nays—None.

Second time were suspended, and the bill read second time by title.

On motion, the rules were further suspended as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Humason, Haines, Hemehway, Kerns,

Mallory, Minto, McClure, Moores, McCully, McCoy, Richardson, Ramsby, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Watson, Mr. Speaker—20.

Nays—None.

So the bill was read third time. *And a copy of the bill was*

The bill being upon its final passage, resulted as follows:

*Yeas—*Messrs. Blain, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Ramsby, Stevenson, Simpson, Van Dyke, Wilkins, Watson, Mr. Speaker—26.

Nays—None.

So the bill passed.

Mr. Simpson gave notice that, on to-morrow, he would introduce a bill for the relief of Mr. Waller.

Mr. Collard gave notice that, on to-morrow, he would introduce a bill to change the boundaries between Washington and Clackamas counties.

On motion, the House adjourned until 1 o'clock, P. M.

House met pursuant to adjournment.

Absent—Messrs. Fay, Reed.

On motion, S. B. No. 5, An Act providing for private incorporations and the appropriation of private property therefor, was taken up.

On motion of Mr. Humason, the rules were suspended, as follows:

*Yeas—*Messrs. Collard, Cummins, Dufur, Engle, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, Richardson, Stevenson, Van Dyke, Wasserman, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—21.

*Nays—*Messrs. Blain, Brown, McCoy, Smith, Wilkins—5.

So the bill was read first time by title:

On motion of Mr. Moores, the rules were further suspended, as follows:

*Yeas—*Messrs. Collard, Cummins, Dufur, Engle, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores,

McCully, McCoy, Richardson, Simpson, Stevenson, Van Dyke, Wasserman, Williams, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Messrs. Blair, Brown, Witham—3.

So the rules were suspended and bill read second time by title.

On motion of Mr. Mallory, the rules were further suspended, as follows:

Yeas—Messrs. Collard, Cummings, Dufur, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moore, Richardson, Smith, Stevenson, Van Dyke, Wasserman, Williams, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Messrs. Blair, Brown, McCully, Witham, McCoy—5.

So the bill was read third time.

The Speaker wishing to offer an amendment called to the Chair Mr. Brown, Speaker, pro tem.

Mr. Palmer moved to amend section seven by restricting the number of votes on shares over and above twenty-five shares.

On which the yeas and nays were demanded, with the following result:

Yeas—Messrs. Collard, Conyers, Gillette, Hemenway, McClure, McCully, McCoy, Stevenson, Van Dyke, Williams, Wilson, Watson, Mr. Speaker—12.

Nays—Messrs. Blair, Brown, Cummings, Dufur, Engle, Humason, Haines, Kerns, Mallory, Minto, Moore, Ramsby, Richardson, Simpson, Wasserman, Witham, Wilcox, Smith, Watson—19.

So the amendment was lost.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Brown, Collard, Conyers, Cummings, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, Ramsby, Rich-

ardson, Smith, Simpson, Van Dyke, Wasserman, Williams,
Witham, Wilson, Wilson; Watson; Mr. Speaker—28.

Nays—Messrs. Blair, McCoy, Stevenson—3.

So the bill passed.

On motion of Mr. Moore, the word "October" was inserted in the title of the bill.

H. B. No. 75: An Act to regulate fees of officers.

Was taken up.

(On motion, the rules were suspended, as follows:

Messrs. Blair, Brown, Collier, Cummings, Duffin,
Engle, Gillefe, Harrison, Hines, Hines, Way, Marshall,
Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsey,
Richardson, Smith, Stevenson, Simpson, Van Dyke, Was-
serman, Witham, Wilson, Watson; Mr. Speaker—31.

Nays—None.

So the bill was read second time by title.

Mr. Stevenson moved to lay the bill upon the table.

Which was lost.

H. B. No. 105: An Act to incorporate the First Hebrew
Benevolent Society in the city of Portland.

Was read second time and referred to committee of three,
consisting of Messrs. Wasserman, Cummins, Smith.

H. B. No. 91: An Act to incorporate Eugene City.

Was read second time.

H. B. No. 95: An Act to extend the corporate limits of
Coryvallis.

Was read second time.

H. B. No. 97: An Act to regulate times of holding
the Circuit Courts.

Was read second time.

Mr. Mallory moved to amend, by striking out the word
"Lyon" wherever it occurs, and insert "Corry".

Which was adopted.

H. B. No. 98: An Act to provide for the adjudication and payment of claims against the Territorial Government.

Was read second time.

On motion, the bill was referred to a Select Committee, consisting of Messrs. Simpson, Duff, Haines.

H. B. No. 99: An Act relating to gambling.

Was read second time.

Mr. Mallory moved to strike out section five and insert a substitute therefor.

Which was adopted.

Mr. Humason moved to strike out the word "fifty" and insert "twenty-five," in section three.

Which was adopted.

H. B. No. 100: An Act relating to wharves.

Was read second time.

H. B. No. 101: An Act regulating the fire department of the city of Portland.

Was read second time.

H. B. No. 104: An Act to increase the salary of Judges of First and Fifth Judicial Districts.

Was read second time.

On motion of Mr. Cummins, the bill was indefinitely postponed.

H. B. No. 82: An Act to protect fair grounds.

Was read second time.

Mr. Ramsby moved to indefinitely postpone.

Which was lost.

Mr. Humason moved to amend section first by striking out "one mile."

Mr. Mallory moved to amend the amendment by striking out the words "half mile."

Which was lost.

Mr. Collard moved to amend by striking out the words "or give away."

Which was adopted.

H. B. No. — : An Act relating to telegraphic messages.

Was read second time.

H. B. No. 59 : An Act to prevent usury, was taken up.

The question being upon the amendment of Mr. Moores.

Which was lost.

Mr. Stevenson moved to amend section three.

Which was lost.

Mr. Humason moved to strike out all of section three relating to witnesses.

Which was lost.

Mr. Mallory moved to strike out section five and insert a substitute therefore.

Which was adopted.

Mr. Dufur offered an amendment to section three.

Which was lost.

Mr. Humason moved to adjourn.

Which was lost.

On motion of Mr. Mallory, the bill was made the special order of the day for to-morrow at 10 o'clock.

The Speaker announced that he had signed H. B. No. 45.

Mr. Reed introduced the following bill:

H. B. No. 108 : An Act to regulate the Treasury Department.

Which was read first time.

On motion, the House adjourned.

TUESDAY, OCTOBER 14, 1862.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Fay, Humason, Haines, Witham.

The journal of yesterday was read and approved.

Mr. Wasserman introduced a communication to the Legislative Assembly from Messrs. Thornally & Simpson, in relation to the Penitentiary.

Which was referred to the Committee on Ways and Means.

Mr. Brown, Chairman of Committee on Ways and Means, to whom was referred the report of the State Librarian, reported back the same with affidavits of B. F. Bonham and P. S. Knight.

On motion, the report was adopted.

Mr. Brown, Chairman of Committee on Ways and Means, reported by bill:

H. B. No. 109: An Act to increase the revenue of the State.

Which was read first time.

H. B. No. 110: An Act to provide for current expenses of the State.

Which was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Haines, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—24.

Nays—Messrs. Dufur, Engle, Fay, Gillette, Hemenway, McCully, Van Dyke—7.

So the bill was read second time by title.

H. J.—27

MR. SPEAKER: The Committee on Ways and Means respectfully submit the following general report with bill providing for the ordinary expenses of the State Government, and other general and specific appropriations; also, bill to increase revenue:

Salary of Governor.....	\$ 3,000
Salary of Secretary of State.....	3,000
Salary of State Treasurer.....	1,600
Salary of Governor's Private Secretary	800
Salary of Assistant Secretary of State..	800
Salary of State Librarian.....	300
Mileage Governor, Secretary of State, and State Treasurer.....	3,000
Salary of Supreme Justices.....	20,000
Salary of Prosecuting Attorneys.....	5,000
Salary of Pilot Commissioners.....	700
To pay expenses of convicts to Peni- tentiary.....	8,000
To pay expenses of the Legislative Assembly, etc.....	10,000
To pay incidental expenses, etc.....	7,000
To pay public printing.....	7,500
To pay expenses of the indigent, in- sane and idiotic.....	20,000
To pay expenses of the Penitentiary and salaries of officers.....	30,000
To place at disposal of Military Board	5,000
	\$125,700 00

AMOUNTS (NECESSARILY) TO BE PAID OUT OF GENERAL FUND.

Purchase of Supreme Court Reports... \$	800
Purchase of two safes for State.....	800
Purchase of newspapers.....	300
For relief of Theodore Burmester.....	59
For relief of B. F. Bonham.....	54
For payment of Code Commission.....	1,200
For payment of various relief bills, approximate estimate.....	3,000
For payment of U. S. direct tax.....	35,000
Total am't to be paid during next 2 yrs	\$166,913 00
Amount in Treasury as per report of Treasurer.....	35,914 43
Amount required to be raised in 2 yrs	\$130,998 57

Your committee would recommend an increase of the annual tax levied for State purposes to three mills on the dollar, and would further recommend a poll tax of two dollars for State purposes, which would, in the next two years, place in the State Treasury, amounts as follows:

Approximate estimate of taxable property in the State in 1862.....	\$20,000,000
At two mills on the dollar.....	\$40,000
Approximate estimate of taxable property in the State for the year 1863.....	22,000,000
At three mills on the dollar.....	66,000
State poll tax on 8,000 polls, at \$2.....	16,000
Total amount.....	\$122,000

H. M. BROWN, *Chairman*.

The time having arrived to take into consideration H. B. No. 59, an Act to prevent usury, which was made the special order of the day at 10 o'clock.

The bill was taken up and read third time.

Mr. Simpson moved that the main question be now put.

Which was carried.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Engle, Gillette, Kerns, Mallory, McClure, Minto, McCoy, Ramsby, Richardson, Smith, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—21.

Nays—Messrs. Blair, Brown, Dufur, Fay, Humason, Haines, Hemenway, Moores, McCully, Reed, Stevenson, Simpson, Wasserman—13.

So the bill passed.

Mr. Cummins, Chairman of Committee on Enrolled Bills, reported the following bills as truly enrolled:

H. B. No. 34.

H. B. No. 54.

H. B. No. 67.

Mr. Moores, Chairman on Engrossed Bills, reported the following bills as truly engrossed:

H. B. No. 82.

H. B. No. 90.

H. B. No. 87.

H. B. No. 88.

H. H. No. 85.

Mr. Reed, member of Committee on Federal Relations, to whom was referred H. B. No. 64, an Act to organize the militia, reported a substitute therefor.

On motion, the report was adopted.

Mr. Haines, Chairman of Special Committee, to whom was referred H. B. No. 74, reported a substitute therefor.

Mr. Wasserman, Chairman of Special Committee, to whom was referred the petition of Samaritan Lodge No. 2, I. O. O. F., reported by bill and recommended its passage.

H. B. No. 111: An Act to amend the charter of Samaritan Lodge No. 2, I. O. O. F.

Which was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Dufur, Fay, Haines, Kerns, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—26.

Nays—Messrs. Cummins, Hemenway, McCoy—3.

So the bill was read second time by title.

Mr. Moores, Chairman of committee to whom was referred H. B. No. 51, reported the bill back and recommended its passage.

Mr. Wilcox, Chairman of committee to whom was referred the petitions and remonstrances from the citizens of Polk county, in relation to the reduction of the salary of the County Judge and the election of County Commissioners, reported by bill.

H. B. No. 112: An Act to provide for a Board of County Commissioners for Polk county.

Which was read first time.

Mr. Simpson, Chairman of committee to whom was referred H. B. No. 98, reported the bill back to the House with amendments, and recommended their adoption.

On motion, the report was adopted.

Mr. Stevenson moved the Committee on Claims be relieved from the consideration of that part of Governor Whiteaker's Message relating to the cavalry raised by order of General Wright.

Which carried.

On motion of Mr. Fay, it was referred to a Select Committee of three.

The Speaker appointed on said committee, Messrs. Fay, Humason, Smith.

Mr. Collard offered the following resolution :

H. J. R. No. 14: *Resolved by the House, the Senate concurring*, That the Legislative Assembly adjourn *sine die* on Friday, 17th day of October, 1862, at the hour of 3 o'clock, P. M., of said day.

The question being upon the adoption of the resolution, resulted as follows :

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, McClure, Minto, McCully, McCoy, Ramsby, Wasserman, Witham—17.

Nays—Messrs. Haines, Hemenway, Kerns, Moores, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilcox, Wilkins, Wilson, Mr. Speaker—14.

So the resolution was adopted.

Mr. Minto moved to reconsider the vote.

Which was lost.

The Speaker announced that he had signed the following bills :

H. B. No. 34.

H. B. No. 54.

H. B. No. 67.

H. B. No. 73: An Act to provide for auditing the civil debt of the Provisional Government.

Was read second time.

H. B. No. 89: An Act to provide for a geological survey of the State of Oregon.

Was read second time.

On motion, was indefinitely postponed.

H. B. No. 102: An Act to prescribe oath of allegiance in certain cases.

Was read second time.

H. B. No. 108: An Act to regulate the Treasury Department.

Was read second time.

H. B. No. 106: An Act relating to passing of teams, &c., on public highways.

Was read second time.

Mr. Engle offered an amendment to section two.

Which was adopted.

H. B. No. 64: An Act to organize the militia.

Was taken up for third reading.

Pending the reading of which, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. McClure, Moores, McCoy, Ramsby, McCully, Wilcox.

The reading of H. B. No. 64 was resumed.

The question being upon the final passage of the bill.

On motion, a call of the House was ordered.

Absent—Messrs. Fay, Gillette, Mallory, McCully, Simpson, Stevenson, Wilcox.

The Sergeant-at-Arms was ordered to bring in the absentees.

On motion, a further call of the House was dispensed with.

The question being upon the final passage of the bill, resulted as follows :

Yeas—Messrs. Applegate, Blair, Brown, Conyers, Dufur, Engle, Humason, Haines, Kerns, Mallory, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Mr. Speaker—25.

Nays—Messrs. Collard, Cummins, Fay, Hemenway, McClure, Ramsby, Watson—7.

So the bill passed.

H. B. No. 56: An Act to provide for the inspection of salmon.

Was read third time.

The bill being upon its final passage, resulted as follows :

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Fay, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—28.

Nays—None.

So the bill passed.

H. B. No. 65: An Act relating to Assessors.

Was read third time.

On motion of Mr. Haines, section five was stricken out.

Mr. Haines offered an amendment to section four.

Which was adopted.

Mr. Dufur moved to strike out section four.

Which was lost.

The question being upon the final passage of the bill, resulted as follows :

Yeas—Messrs. Applegate, Cummins, Fay, Humason, Haines, Hemenway, Kerns, Mallory, Minto, Moores, Mc-

Coy, Ramsby, Richardson, Reed, Smith, Van Dyke, Wilcox, Watson—18.

Nays—Messrs. Blair, Brown, Collard, Conyers, Dufur, Engle, Gillette, McClure, McCully, Simpson, Wasserman, Wilkins, Witham, Wilson, Mr. Speaker—15.

So the bill passed.

H. B. No. 49: An Act to regulate the salaries of County Judges.

Was read third time.

Mr. Moores moved to amend, by offering a substitute to section three.

Which was adopted.

Mr. Engle moved to amend section one, by striking out \$800 and insert \$600, opposite the word "Marion."

On motion of Mr. Moores, the amendment was laid upon the table.

Mr. Stevenson, moved to amend section one, by striking out opposite the word "Coos," \$400, and insert \$300.

Which was adopted.

Mr. Mallory moved to amend, to strike out opposite the word "Josephine," \$800, and insert \$400.

Which was lost.

Mr. Stevenson moved to strike out opposite Josephine \$800 and insert \$600.

Which was lost.

Mr. Wilcox moved to fill the blank opposite Polk county, with \$800.

Which was adopted.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Conyers, Cummins, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Witham, Watson, Minto, Moores, McCully, Mr. Speaker—29.

Nays—Messrs. Collard, Dufur, Engle, Stevenson—4.

So the bill passed.

H. B. No. 87: An Act to repeal section two of an Act to protect Chinamen mining in Oregon.

Was read third time.

Mr. Stevenson offered an amendment.

Which was adopted.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Cummins, Fay, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Simpson, Mr. Speaker—30.

Nays—Mr. Kerns—1.

So the bill passed.

H. B. No. 91: An Act to consolidate the counties of Umpqua and Douglas.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

S. B. No. 13: An Act to provide for working roads and highways.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, H. J.—28

Moore, McCully, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Watson, Mr. Speaker—23.

Nays—Messrs. Blair, Collard, Conyers, Cummins, Dufur, Engle, Fay, McCoy, Reed, Witham—10.

S. B. No. 19: An Act to provide for the location of public lands donated by Congress.

Was read third time.

Mr. Wilcox offered an amendment to section one.

Which was adopted.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moore, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

H. B. No. 92: An Act relating to mining claims, ditches and flumes.

Was read third time.

Mr. Fay moved to strike out section three.

Which was adopted.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moore, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

H. B. No. 88: An Act granting W. S. Ladd certain rights and privileges.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Fay, Gillette, Haines, Humason, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—29.

Nays—Mr. Humason—1.

So the bill passed.

H. B. No. 90: An Act to incorporate the town of Albany.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Collard, Dufur, Fay, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—24.

Nays—Mr. Conyers—1.

So the bill passed.

H. B. No. 85: An Act to prevent buck sheep from running at large.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Fay, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—28.

Nays—None.

So the bill passed.

H. B. No. 47: An Act to encourage the growth of tobacco.
Was read third time.

Mr. Wilcox in the Chair, Speaker *pro tem*.

Mr. Palmer moved to amend section first.

Which was adopted.

Mr. Palmer offered to further amend section first.

Which was lost.

The question being upon the final passage of the bill,
resulted as follows:

Yeas—Messrs. Applegate, Brown, Dufur, Fay, Haines, Kerns, Mallory, Minto, Moores, McCully, McCoy, Ramsby, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham—18.

Nays—Messrs. Blair, Collard, Conyers, Cummins, Engle, Gillette, Hemenway, McClure, Richardson, Reed, Smith, Wilcox, Watson, Mr. Speaker—14.

So the bill passed.

On motion, the House adjourned.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Reed.

H. B. No. 100: An Act relating to wharves.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—28.

Nays—Mr. Humason—1.

So the bill passed.

H. B. No. 74: An Act to amend an Act, entitled "An Act, to incorporate the city of Jacksonville."

Was read second time.

Mr. Humason offered an amendment.

The amendment was adopted.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Wasserman, Wilkins, Wilson, Witham, Mr. Speaker—25.

Nays—Messrs. Engle, Fay, Minto, Van Dyke, Watson—5.

So the bill passed.

H. B. No. 82: An Act to protect Fair Grounds.

- The bill was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—30.

Nays—None.

So the bill passed.

H. B. No. 70: An Act for the relief of Waller and Geer.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Conyers, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Wilson, Watson, Mr. Speaker—21.

Nays—Messrs. Blair, Brown, Collard, Cummins, Dufur, Fay, Gillette, McCully, Ramsby, Witham—10.

So the Bill passed.

S. B. No. 25: An Act to prescribe the oath of allegiance in certain cases.

Was read third time.

—Mr. Fay offered an amendment.

The amendment was adopted.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Van Dyke, Wilkins, Witham, Watson, Mr. Speaker—23.

Nays—Messrs. Fay, Haines, Humason, Minto, Stevenson, Wasserman, Wilcox—7.

So the bill passed.

H. B. No. 72: An Act relating to common schools.

The bill was read third time.

Mr. Richardson offered an amendment to section two.

The amendment was adopted.

Mr. Cummins offered an amendment.

The amendment was adopted.

The question being upon the final passage of the bill, resulted as followed:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Witham, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—31.

Nays—None.

So the bill passed.

H. B. No. 75: An Act to revise fees of certain officers.

The bill was read third time.

Mr. Mallory moved to amend section three.

The amendment was adopted.

He also moved to further amend section three.

The amendment was lost.

Mr. Dufur moved a call of the House.

The motion was lost.

Mr. Wilcox offered a substitute for section twenty-four.

The substitute was adopted.

Mr. Stevenson offered an amendment to section three.

The amendment was lost.

Mr. Mallory offered an amendment to section three.

The amendment was adopted.

Mr. Wilcox offered an amendment to section twenty-three.

The amendment was adopted.

Mr. Dufur moved to recommit the bill.

The motion was lost.

The question being upon the passage of the bill, resulted as follows :

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Gillette, Hemenway, McClure, Minto, McCoy, Ramsby, Simpson, Van Dyke, Witham, Wilkins, Wilcox, Watson. Mr. Speaker—18.

Nays—Messrs. Blair, Engle, Fay, Humason, Haines, Kerns, Mallory, Moores, Reed, Smith, Stevenson, Wasserman—12.

So the bill passed.

H. B. No. 93: An Act relating to telegraphs and telegraphic messages.

The bill was read third time.

The question being upon the passage of the bill, resulted as follows :

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Gillette, Haines, Hemenway, Kerns, McClure, Minto, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—26.

Nays—Mr. Fay—1.

So the bill passed.

Mr. Moores, member of Committee on Engrossed Bills, reported H. B. No. 98 as correctly engrossed.

H. B. No. 98: An Act to provide for the adjudication and payment of claims against the Territorial Government of Oregon.

Which was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—27.

Nays—None.

So the bill passed.

Mr. Wilcox moved to suspend the rules and let the Committee on Ways and Means report and give members an opportunity to introduce bills.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Fay, Gillette, Humason, Haines, Kerns, Minto, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—26.

Nays—Messrs. Hemenway, McClure—2.

The Committee on Claims introduced the following bill:

H. B. No. 113: An Act for the relief of H. J. Pittock.

The bill was read first time.

On motion, the rules were further suspended, as follows:

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Gillette, Hemenway, Kerns, McClure, Minto, Moores, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Haines, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—26.

Nays—Mr. Fay—1.

So the bill was read second time by title.

On motion, the bill was considered engrossed, to be read third time to-morrow.

Mr. Wasserman introduced the following bill :

H. B. No. 114 : An Act to amend an Act, entitled " An Act to incorporate the city of Portland."

Which was read first time.

On motion, the rules were suspended, as follows :

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, Ramsby, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—None.

So the bill was read second time by title, and on motion, the bill was considered engrossed, to be read third time tomorrow.

H. B. No. 115 : An Act entitled " An Act to create the county of Multnomah.

Was read first time.

On motion, the rules were suspended, as follows :

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Fay, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, Ramsby, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—26.

Nays—None.

So the bill was read second time by title.

Mr. Smith in the Chair, Speaker *pro tem*.

Mr. Palmer introduced the following bill :

H. B. No. 116 : An Act to raise revenue.

Which was read first time.

On motion, the rules were suspended, as follows :

Yeas—Messrs. Brown, Collard, Conyers, Cummins, Dufur, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, Minto, Moores, Ramsby, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—29.

lory, McClure, Minto, Moores, Ramsby, Reed, Stevenson, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—27.

Nays—Mr. Fay—1.

So the bill was read second time by title, and on motion, referred to Committee of the Whole.

On motion, the House resolved itself into a Committee of the Whole.

Mr. Simpson in the Chair.

After some time spent therein, the committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole have had under consideration H. B. No. 116, an Act to raise revenue, and beg leave to report the same back to the House, and recommend that it be indefinitely postponed. Also,

H. B. No. 76: An Act to make United States legal tender notes a legal tender for all debts and taxes, beg leave to report the same back to the House, and recommend that it be indefinitely postponed. Also,

H. B. No. 109: An Act to increase the revenue of the State, beg leave to report the same back to the House, and recommend its passage.

On motion, the report was adopted.

Mr. Humason moved to indefinitely postpone H. B. No. 116.

Which was adopted.

Mr. Mallory moved to indefinitely postpone H. B. No. 76.

Mr. Cummins moved that the main question be now put. The question being upon the indefinite postponement.

Upon which the yeas and nays were demanded, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Cummins, Haines, Hemenway, Mallory, Moores, Reed, Wilcox, Watson—11. *

Nays—Messrs. Conyers, Dufur, Fay, Gillette, Humason,

Kerns, Minto, Ramsby, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Mr. Speaker—16.

So the bill was not indefinitely postponed.

On motion, the bill was referred to a Select Committee of Messrs. Humason, Dufur, Gillette.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the President has signed the following bills:

H. B. No. 41: To incorporate Dalles City.

H. B. No. 81: To incorporate city of Salem.

Which are herewith returned.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has failed to pass the following bill:

H. B. No. 68: To create an asylum fund.

Which is herewith returned.

The Senate has adopted the following resolutions:

S. J. R. No. 9: Relative to death of Col. Baker.

S. J. R. No. 10: Relative to Col. Wright.

Also, the Senate has passed

S. B. No. 43: To fix times of holding Supreme Court.

All of which are herewith returned for your consideration.

S. A. CLARK, *Chief Clerk.*

S. J. R. No. 9: In relation to the death of Col. Baker.

Was laid upon the table until to-morrow morning.

S. J. R. No. 10: In relation to Col. Wright.

Was laid upon the table.

S. J. R. No. 8: In relation to appointing a committee to locate Agricultural College.

Was laid upon the table.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following S. B's:

S. B. No. 34: Locating Agricultural College at Eugene.

S. B. No. 27: Relative to partition fencing.

S. B. No. 28: Appraising property sold under execution.

Which are herewith transmitted for the consideration of the House.

The Senate has also passed the following H. B's:

H. B. No. 62: To tax Chinamen and others.

H. B. No. 69: To purchase safes for State officers.

H. B. No. 79: Relating to pilotage.

Which are herewith returned for enrollment.

S. A. CLARK, *Chief Clerk.*

On motion, the House adjourned.

WEDNESDAY, OCTOBER 15, 1862.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Blair, Brown, Cummins, Haines, Ramsby.

On motion of Mr. Moores, a committee of five were appointed to examine the journal of yesterday, and if found correct, to suspend the reading.

The Speaker appointed on said committee, Messrs. Humason, McCully, Collard, Haines, Simpson.

On motion, the business from the Senate was taken up for consideration.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has concurred in House amendment to S. B. No. 19, paying expenses incurred by the Governor as Land Commissioner.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following S. J. R's:

S. J. R. No. 11: Complimenting Gen. Hooker.

S. J. R. No. 12: Relative to election of committee.

S. J. R. No. —: To receive donations for insane and idiotic.

S. J. R. No. 13: With memorial to Secretary of War.

Which are transmitted for your concurrence.

The Senate has also adopted

H. J. R. No. 14: Relative to adjournment.

Which is herewith returned.

S. A. CLARK, *Chief Clerk.*

S. J. R. No. 11: Complimenting General Hooker.

Was adopted by the following vote:

Yeas—Messrs. Blair, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—29.

Nays—None.

S. J. R. No. 12: In relation to receiving propositions for an Asylum for the insane and idiotic.

Was adopted by the following vote:

Yeas—Messrs. Blair, Collard, Conyers, Cummins, Fay, Gillette, Humason, Haines, Hemenway, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Wilcox, Wilson, Watson, Mr. Speaker—25.

Nays—Messrs. Dufur, Wasserman, Witham—3.

Senate Memorial and Joint Resolution No. 13: Memorializing the Secretary of War to create Oregon and Washington Territory into a separate military department from that of California.

Was adopted by the following vote.

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Hemenway, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—29.

Nays—None.

MR. SPEAKER: I am instructed to inform you that the Senate has passed the accompanying bills:

H. B. No. 29: An Act to regulate marriages.

H. B. No. 55: Relative to disease among cattle.

H. B. No. 6: Relative to estrays.

Which are herewith transmitted for enrollment.

S. A. CLARK, *Chief Clerk*.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the accompanying bills, viz:

S. B. No. 15: Relative to limited partnerships.

S. B. No. 38: Relating to escheats.

S. B. No. 44: To change Judicial Districts.

S. B. No. 45: To print session laws and journals.

Which are herewith transmitted for your consideration.

The following message was received from the Senate:

MR. SPEAKER: The President of the Senate having signed H. B's Nos. 34, 45 and 36, they are herewith returned.

S. A. CLARK, *Chief Clerk*.

Mr. Simpson, member of committee to whom was referred the journal of yesterday, reported the same as correct.

S. B. No. 9: An Act to provide for paying the expenses of conveying Waller, a convict, to a court of justice.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Engle, Fay, Hemenway, Kerns, McClure, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Watson, Mr. Speaker—22.

Nays—Messrs. Conyers, Cummins, Gillette, Minto, Wilson, Witham—6.

So the bill was read second time by title.

On motion, the bill was referred to a Committee of the Whole.

S. B. No. 42: An Act relating to Acts and parts of Acts in conflict with the code.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Humason, Haines, Kerns, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—26.

Nays—Messrs. Fay, Hemenway, McClure—3.

The bill was then read second time by title.

S. B. No. 29: An Act for the relief of Luzerne Besser.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Fay, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Watson, Wilkins, Witham, Mr. Speaker—27.

Nays—Messrs. Engle, Kerns, Wilson—3.

So the bill was read second time by title.

Mr. Brown moved to lay upon the table.

Which was lost.

S. B. No. 17: An Act for the relief of Wasco county.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—27.

Nays—Messrs. Fay, McCully—2.

So the bill was read second time by title.

On motion, the bill was referred to Committee on Claims.

S. B. No. 26: An Act to legalize Acts of Public Administrators.

The bill was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Brown, Wilson, Watson, Mr. Speaker—30.

Nays—None.

On motion of Mr. Fay, the rules were further suspended, as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Engle, Fay, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Moores, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson—26.

Nays—Messrs. Minto, Van Dyke, Mr. Speaker—3.

So the bill was read third time.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Engle, Fay, Humason, Haines, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson,

Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Mr. Hemenway—1.

So the bill passed.

S. B. No. 28: An Act relating to the appraisement of property sold under execution.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wilkins, Wilcox, Watson, Mr. Speaker—25.

Nays—Messrs. Dufur, McCoy, Witham, Wilson, Wasserman—5.

So the bill was read second time by title.

Mr. Moores moved to amend section one.

Which was lost.

Mr. Fay moved to amend section one.

Which was adopted.

Mr. Simpson moved to lay it upon the table.

Which was lost.

Mr. Humason moved to indefinitely postpone.

Which was lost.

Mr. Moores offered an amendment to section three.

Which was adopted.

Mr. Mallory offered an amendment to section three.

Which was adopted.

Mr. Simpson moved to amend section fourteen, by adding a proviso.

Which was lost.

Mr. Mallory moved to amend section three.

Which was lost.

On motion, was referred to Committee on Engrossed Bills.

The following message was received from the Governor:

EXECUTIVE OFFICE,
SALEM, October 15, 1862. }

Gentlemen of the House of Representatives:

I have approved and signed the following bills:

H. B. No. 45: An Act to amend an Act, entitled "An Act, to incorporate the city of Portland."

H. B. No. 34: A bill for the relief of David Linn.

H. B. No. 36: A bill for the relief of School District No. 36, in Linn county.

H. B. No. 80: A bill to incorporate the city of Salem.

H. B. No. 41: A bill to incorporate Dalles City.

ADDISON C. GIBBS, *Governor of Oregon.*

S. B. No. 32: An Act to provide for returns of votes for State Senators.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Haines, Hemenway, Kerns, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wasserman, Witham, Wilson, Watson, Mr. Speaker—26.

Nays—None.

So the bill was read second time.

S. B. No. 33: An Act to provide for the payment of Code Commission.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—26.

Nays—None.

So the bill was read second time by title.

Mr. Brown moved to refer to Committee of Whole.
Which was lost.

S. B. No. 30: An Act relating to slaughter houses.
Was read second time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Dufur, Gillette, Haines, Hemenway, Kerns, Mallory, McClure, Richardson, Reed, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—20.

Nays—Messrs. Blair, Conyers, Fay, Minto, McCully, Wasserman—6.

So the bill was read second time by title.

Mr. Minto moved to amend section one.

The motion carried.

S. B. No. 37: An Act to permanently locate the seat of government.

The bill was read second time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Fay, Gillette, Haines, Kerns, McClure, McCully, McCoy, Richardson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—23.

Nays—Messrs. Minto, Moores, Reed—3.

So the bill was read second time by title.

S. B. No. 12: An Act to fix the legal distances from the county seat of each county to the Penitentiary.

The bill was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Conyers, Kerns, Mallory, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—19.

Nays—Messrs. Collard, Fay, McClure, Van Dyke, Humason—5.

So the bill was read second time by title.

Mr. Fay moved to lay upon the table.

The motion was lost.

Mr. Mallory moved to amend section two.

The motion was carried.

On motion of Mr. Gillette, the bill was indefinitely postponed.

S. B. No. 27: An Act in relation to partition fences.

The bill was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Cummins, Dufur, Gillette, Haines, Hemenway, Kerns, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Witham, Wilkins, Watson, Mr. Speaker—27.

Nays—None.

So the bill was read second time by title.

S. B. No. 34: An Act to locate the Agricultural College.

The bill was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Fay, Haines, Hemenway, Kerns, Mallory, McClure, Moores, Ramsby, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—Messrs. Minto, McCully, McCoy, Richardson—4.

So the bill was read second time by title.

Mr. Mallory offered an amendment to section three.

The amendment was adopted.

Mr. Minto moved to lay upon the table.

The motion was lost.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Blair, Fay, Kerns, Moores, Witham.

S. B. No. 46: An Act to change the time of holding the Supreme Court.

The bill was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Cummins, Engle, Humason, Haines, Hemenway, McClure, Minto, McCully, Ramsby, Smith, Simpson, Van Dyke, Wilkins, Wilcox, Wilson, Dufur, Watson, Mr. Speaker—22.

Nays—Mr. Wasserman—1.

So the bill was read second time.

S. B. No. 45: An Act to provide for publishing the journals and laws of this session.

The bill was read first time.

On motion, the rules were suspended, and the bill was read second time by title, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Cummins, Conyers, Dufur, Engle, Humason, Haines, Hemenway, McClure, Minto, McCully, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Watson, Mr. Speaker—24.

Nays—None.

Mr. Moores moved to amend section one.

The motion was lost.

S. B. No. 15: An Act in relation to limited partnership.

The bill was read first time.

On motion, the rules were suspended, and the bill read second time by title, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Humason, Engle, Hemenway, Mallory, McClure, Minto, Moores, Mc-

Cully, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—24.

Nays—Messrs. Dufur, Fay, Wasserman—3.

The Committee on Engrossed Bills, reported S. B. No. 28 back to the House.

S. B. No. 44: An Act to change the Judicial Districts of Oregon.

The bill was read first time.

On motion, the rules were suspended, and the bill was read second time by title, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—28.

Nays—None.

Mr. Mallory moved to amend section one by striking out all after the enacting clause.

On motion, the bill was laid on the table.

S. B. No. 38: An Act relating to escheats.

The bill was read first time.

On motion, the rules were suspended, and the bill read second time by title, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Dufur, Gillette, Engle, Humason, Haines, Hemenway, Mallory, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—None.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the accompanying joint resolution, to

meet in Joint Convention to elect librarian, pilots, &c., Thursday, at 3 o'clock, P. M.

S. A. CLARK, *Chief Clerk.*

On motion, the resolution was concurred in.

Mr. Simpson, Chairman of Committee on Claims, reported S. B. No. 17, an Act for the relief of Wasco county, back, and recommended its passage.

On motion, the report was adopted.

Mr. Moores, Chairman of Committee on Engrossed Bills, reported the following bills as correctly engrossed:

H. B. No. 49.
H. B. No. 74.
H. B. No. 87.
H. B. No. 94.
H. B. No. 97.
H. B. No. 99.
H. B. No. 101.
H. B. No. 106.
H. B. No. 111.

Mr. Cummins, Chairman of Committee on Enrolled Bills, reported the following bills as correctly enrolled:

H. B. No. 79.
H. B. No. 69.
H. B. No. 62.
H. B. No. 55.
H. B. No. 29.

Mr. Humason, Chairman of committee to whom was referred H. B. No. 76, an Act to make United States legal tender notes a legal tender for all debts and taxes, reported a substitute therefor.

H. B. No. 112: An Act to provide for electing County Commissioners in Polk county.

The bill was read second time.

H. B. No. 76: An Act relating to United States legal tender notes.

The bill was read third time.

The bill then being upon its final passage, resulted as follows:

* * *

Yeas—Messrs. Applegate, Conyers, Cummins, Dufur, Engle, Fay, Gillette, Humason, Hemenway, Kerns, McClure, Minto, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Wilson, Watson, Mr. Speaker—25.

Nays—Messrs. Brown, Collard, Haines, Mallory, Moores, Simpson, Witham, Wilcox—8.

So the bill passed.

Mr. Minto offered a resolution in relation to his memorial. The resolution was not adopted.

The Speaker announced that he had signed the following bills:

H. B. No. 6.
H. B. No. 29.
H. B. No. 55.
H. B. No. 62.
H. B. No. 69.
H. B. No. 79.

H. B. No. 109: An Act to increase the revenue of the State.

The bill was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Humason, Haines, Hemenway, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilson, Watson, Mr. Speaker—25.

Nays—Messrs. Fay, Stevenson—2.

So the bill passed.

H. B. No. 111: An Act for the relief of Samaritan Lodge No. 2, I. O. O. F., in Portland.

The bill was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Gillette, Haines, Hemenway, McClure, Minto,

Moore, McCully, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Witham, Wilcox, Watson, Mr. Speaker—23.

Nays—Messrs. Fay, McCoy, Wilkins, Wilson—4.

So the bill passed.

H. B. No. 95: An Act to extend the corporate limits of the city of Corvallis.

The bill was read third time.

Pending the passage of this bill, a call of the House was moved.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Fay, Haines, Humason, Kerns, McClure, Minto, Moore, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—30.

Nays—None.

So the bill passed.

H. B. No. 94: An Act to incorporate Eugene City.

The bill was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Conyers, Engle, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moore, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Mr. Cummins—1.

So the bill passed.

H. B. No. 101: An Act relating to wharves.

Was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Cummins, Engle, Gillette, Humason, Haines, Hemenway, Mallory, McClure, H. J.—31

Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—None.

So the bill passed.

H. B. No. 97: An Act to regulate the time of holding Circuit and County Courts.

The bill was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Engle, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—29.

Nays—None.

So the bill passed.

H. B. No. 108: An Act entitled "An Act to regulate the Treasury Department."

The bill was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Cummins, Engle, Gillette, Humason, Haines, Hemenway, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—29.

Nays—None.

So the bill passed.

H. B. No. 102: A bill to prescribe the oath of allegiance in certain cases.

The bill was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Engle, Gillette, Hemenway, Kerns, Mallory, McClure, Moores, McCoy, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker—24.

Nays—Messrs. Humason, Haines, Minto, Reed—4.

So the bill passed.

H. B. No. 114: An Act to amend an Act to create the county of Multnomah.

The bill was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Reed, Smith, Simpson, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—27.

Nays—None.

So the bill passed.

H. B. No. 106: An Act to regulate the passing of teams and carriages traveling on highways.

The bill was read third time.

Mr. Mallory offered a substitute to section two.

The substitute was adopted.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Engle, Humason, Kerns, Mallory, McClure, Minto, Moores, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—23.

Nays—Messrs. Haines, McCoy, Stevenson—3.

So the bill passed.

H. B. No. 99: An Act relating to gambling.

Was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—26.

Nays—None.

— So the bill passed.

H. B. No. 73: An Act to provide for auditing the civil debt of the late Provisional Government.

Was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Humason, Haines, Hemenway, Kerns, Mallory, McClure, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Watson, Minto, Moores, McCully, Mr. Speaker—26.

Nays—Messrs. Witham, Wilcox, Wilson—3.

— So the bill passed.

H. B. No. 81: An Act to abolish the office of County Commissioners in certain counties, and provide for electing a Board of Auditors.

Was read third time.

Mr. Minto moved to strike out all relating to County Commissioners.

The motion was adopted.

On motion, the bill was referred to the members of Marion county.

H. B. No. 113: An Act for the relief of H. L. Pittock.

The bill was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Cummins, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed,

Simpson, Van Dyke, Wasserman, Wilkins, Watson, Mr. Speaker—25.

Nays—Messrs. Blair, Brown—2.

So the bill passed.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the accompanying S. J. R. No. 17, relative to suspension of joint rule No. 11, has just passed the Senate and is transmitted for your consideration.

S. A. CLARK, *Chief Clerk*.

On motion, the House concurred in S. J. R. No. 17, as by the following vote:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Humason, Haines, Hemenway, McClure, Ramsby, Richardson, Reed, Smith, Van Dyke, Wasserman, Wilkins, Minto, Moores, McCoy, Mr. Speaker—23.

Nays—Mr. McCully—1.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the President has signed the accompanying bills:

H. B. No. 54: Relief of Fullerton.

H. B. No. 29: To regulate marriages.

H. B. No. 6: To dispose of estrays.

H. B. No. 55: To prevent disease in animals.

H. B. No. 62: Taxing negroes, Chinamen, &c.

H. B. No. 79: Relative to pilotage, &c.

H. B. No. 69: Relative to purchase of safes.

Which are herewith returned.

S. A. CLARK, *Chief Clerk*.

On motion of Mr. Stevenson, H. J. R. No. 13, relating to instructing our Senators and members in Congress to use their influence in establishing light houses on the Pacific coast, was taken from the table.

The question being upon the adoption of the resolution, resulted as follows:

Yeas—Messrs. Blair, Brown, Dufur, Engle, Fay, Haines, Hemenway, Kerns, McClure, Minto, McCully, McCoy, Ramsby, Rich-

ardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Watson, Mr. Speaker—24.

Nays—Messrs. Collard, Conyers, Cummins, Witham—4.

So the resolution was adopted.

H. B. No. 46: An Act relating to building and repairing bridges.

Was taken up.

The question upon concurring with Senate amendments.

On motion of Mr. Simpson, the bill was referred to a Special Committee of three.

The Speaker appointed on said committee, Messrs. Simpson, Mallory, Reed.

S. B. No. 44: An Act to change Judicial Districts.

Was taken up.

The question being on the amendment of Mr. Mallory.

Was adopted.

On motion of Mr. Wilcox, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—28.

Nays—None.

So the bill was read third time.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—30.

Nays—Mr. Fay—1.

So the bill passed.

On motion, the House adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Blair, Mallory, Minto, Moores, Reed, Stevenson, Wilkins, Wilcox.

Mr. Simpson moved to reconsider the vote on the passage of S. B. No. 44.

Which was carried.

Mr. Simpson moved to reconsider the vote upon the adoption of Mr. Mallory's amendment.

Which was carried.

Mr. Simpson moved to take from the table H. B. No. 17, an Act for the relief of B. F. Bonham.

Which was adopted.

- The question being upon the appointment of a Committee of Conference.

Was lost.

On motion of Mr. Fay, the bill was indefinitely postponed.

The Speaker announced that he had signed the following bills:

S. B. No. 13.

S. B. No. 19.

S. B. No. 26.

Mr. Fay moved to reconsider the vote by which H. B. No. 17 was indefinitely postponed.

Which was carried.

The question being upon the indefinite postponement of the bill.

Was lost.

Mr. Wilcox moved to concur in the amendment of the Senate, which was to strike out \$54, and insert \$16 19.

Which was adopted.

Mr. Moores, Chairman of committee to whom was referred H. B. No. 81, an Act to provide for electing a Board

of Auditors in Marion county, reported by substitute.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Dufur, Engle, Fay, Haines, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Watson, Mr. Speaker—22.

Nays—Messrs. Collard, Conyers, Humason, Hemenway, McCully, Kerns, Smith—7.

So the bill passed.

On motion of Mr. Fay, S. B. No. 44, an Act to change the Judicial Districts of the State of Oregon, was taken up.

The question being upon the motion of Mr. Mallory to strike out section first.

Was lost.

On motion of Mr. Wilcox, the vote by which the amendment to section two was adopted, was reconsidered.

The question being upon the adoption of the amendment to section two.

Was lost.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Engle, Fay, Humason, Hemenway, McClure, Minto, McCully, McCoy, Ramsby, Reed, Smith, Stevenson, Simpson, Wilkins, Witham, Wilcox, Gillette, Wilson, Watson, Moores, Mr. Speaker—24.

Nays—Messrs. Conyers, Cummins, Dufur, Haines, Kerns, Mallory, Richardson, Reed, Smith, Stevenson, Simpson, Wilkins, Wilcox, Wilson, Mr. Speaker—9.

So the bill passed.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the H. B. No. 59, relating to usury, with certain amendments, which are attached and transmitted for your consideration.

S. A. CLARK, *Chief Clerk.*

On motion, the House concurred in the Senate amendments to H. B. No. 59, relative to usury.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has refused to pass H. B. No. 47, to encourage cultivation of tobacco, which is here returned. Also, that S. B's Nos. 13, 19 and 26 being reported duly enrolled are herewith transmitted for your signature.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following bills:

H. B. No. 91: Consolidating Douglas and Umpqua counties.

H. B. No. 37: Regarding mining flumes and ditches.

H. B. No. 82: To protect Fair Grounds.

H. B. No. 77: Relating to elections.

H. B. No. 65: Relating to assessors.

H. B. No. 90: Incorporating Albany.

The Senate has failed to pass H. B. No. 85, about gelding buck sheep, and has also failed to concur in House amendment to S. B. No. 25, being to strike out the word "State," and insert "county" in its stead. While they have concurred in the remainder of the House amendments.

S. J. R. No. 16: Relating to mail route, has passed the Senate, and is herewith transmitted for your consideration, together with the bills above enumerated.

S. A. CLARK, *Chief Clerk.*

Mr. Stevenson moved that the House insist on its amendment to S. B. No. 25, requiring an oath in certain cases.

The motion was lost.

The following communication was received from the Governor:

EXECUTIVE OFFICE, October 15, 1862.

Gentlemen of the House of Representatives:

I have approved and signed the following bills:

H. B. No. 6: Concerning estrays.

H. B. No. 54: For relief of John Fullerton.

H. J.—32

* * *

H. B. No. 55: A bill to prevent the spread of contagious or infectious diseases among domestic animals.

H. B. No. 62: A bill to tax Negroes, Chinamen, Kanakas and Mulattoes.

H. B. No. 79: A bill amending an Act, entitled "An Act, for the establishment of pilotage on the Columbia and Willamette rivers."

H. B. No. 29: A bill to regulate marriage.

H. B. No. 69: A bill to authorize the purchase of safes for the use of the State.

ADDISON C. GIBBS, *Governor of Oregon.*

S. J. R. No. 16: Asking our Representatives in Congress to use their influence in establishing a tri-weekly mail between Oregon City and Lafayette.

Was taken from the table.

The question being on the concurrence with the Senate, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Cummins, Dufur, Engle, Gillette, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—31.

Nays—None.

So the House concurred in the resolution.

S. J. R. No. 8: To appoint a commission to receive propositions concerning the location of Agricultural College.

Was taken from the table.

On motion of Mr. Wilcox, the resolution was laid on the table.

S. J. R. No. 10: A vote of thanks to General Wright, and requesting him to call out more cavalry for Oregon.

Was taken from the table.

On motion of Mr. Simpson, the resolution was indefinitely postponed.

S. J. R. No. 9: Tribute to Hon. E. D. Baker.

Was taken from the table.

The question being on its passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Conyers, Cummins, Dufur, Engle, Gillette, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—27.

Nays—None.

On motion, the House adjourned.

THURSDAY, OCTOBER 16, 1862.

House met pursuant to adjournment.

Absent—Messrs. Cummins, Gillette, Haines, Hemenway, Mallory, Stevenson, Van Dyke, Witham.

On motion of Mr. Moores, the reading of the journal of yesterday was dispensed with, and a committee of three appointed to examine the same.

The committee consisted of Messrs. Kerns, Fay, Conyers.

Mr. Humason offered a joint memorial to Congress, asking for an extension of the surveys east of the Cascade mountains.

On motion, the memorial was adopted.

Mr. Simpson, Chairman of the Committee on Claims, to whom was referred H. B. No. 63, for the relief of George Abernathy, reported the same back to the House without recommendation.

On motion, the bill was laid on the table.

Mr. Simpson, Chairman Committee on Claims, to whom was referred the account of Mr. Austin, of the *Oregon Times* newspaper, reported the same back to the House without recommendation.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the S.

J. R's herein mentioned have been duly enrolled, and await your signature:

S. J. R. No. 2.
S. J. R. No. 4.
S. J. R. No. 5.
S. J. R. No. 6.
S. J. R. No. 7.
S. J. R. No. 11.
S. J. R. No. 12.
S. J. R. No. 13.

S. A. CLARK, *Chief Clerk.*

The Speaker announced that he had signed the following S. J. R's:

S. J. R. No. 2.
S. J. R. No. 4.
S. J. R. No. 5.
S. J. R. No. 6.
S. J. R. No. 7.
S. J. R. No. 11.
S. J. R. No. 12.
S. J. R. No. 13.

Mr. Cummins, Chairman Committee on Enrolled Bills, reported H. B. No. 106, to protect persons traveling on highways, as correctly enrolled.

Mr. Fay, member of the committee to whom was referred the journal of yesterday, reported the same back to the House as correct.

Mr. Minto, Chairman Special Committee to whom was referred the petition of certain citizens of Salem, asking for a change of the city boundaries, reported the same back to the House without recommendation.

On motion, the petition was laid on the table.

Mr. Moores, Chairman Committee on Engrossed Bills, reported H. B. No. 72, school law, as truly engrossed.

H. B. No. 32: An Act to provide for the return of votes cast for State Senators.

Was read third time.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Brown, Collard, Dufur, Engle, Fay, Gillette, Humason, Haines, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—23.

Nays—None.

S. B. No. 29: For the relief of L. Besser.

Was read third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Applegate, Dufur, Fay, Humason, Hemenway, Kerns, McClure, Minto, Moores, McCoy, Reed, Smith, Simpson, Van Dyke, Wasserman, Watson—16.

Nays—Messrs. Blair, Brown, Collard, Engle, Gillette, McCully, Ramsby, Witham, Wilcox, Wilson, Mr. Speaker—11.

There not being a majority of all the members of the House voting in favor of the bill, it was lost.

Mr. Reed moved to reconsider the passage of the bill.

Mr. Brown moved to lay the motion to reconsider on the table.

Which was lost.

The question recurring on the motion to reconsider.

Was agreed to.

On motion, a call of the House was ordered.

Absent—Messrs. Cummins, Stevenson, Wilkins.

On motion, the further call of the House was dispensed with.

On motion, the previous question was demanded on the passage of the bill, which resulted as follows:

Yeas—Messrs. Applegate, Dufur, Fay, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCoy, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Watson—18.

Nays—Messrs. Blair, Brown, Collard, Conyers, Engle, Gil-

lette, Mallory, McCully, Ramsby, Wilkins, Witham, Wilcox, Wilson, Mr. Speaker—14.

So the bill passed.

S. B. No. 15: Relating to limited partnerships.

Was read third time.

The question being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Brown, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, Ramsby, Richardson, Reed, Simpson, Van Dyke, Wilkins, Watson, Mr. Speaker—22.

Nays—Messrs. Blair, Collard, Fay, McCully, Witham, McCoy—6.

So the bill passed.

S. B. No. 27: Relating to partition fences.

Was read third time.

The question being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Engle, Haines, Hemenway, Mallory, McClure, Moores, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wilkins, Watson, Mr. Speaker—20.

Nays—Messrs. Blair, Fay, McCully—3.

S. B. No. 33: To pay the Code Commissioners.

Was read third time.

Mr. Fay moved to strike out "twelve hundred" and insert "six hundred."

On which the previous question was ordered, and the yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Blair, Collard, Fay, Hemenway, McClure, McCully, Wilkins, Witham—8.

Nays—Messrs. Applegate, Brown, Conyers, Dufur, Engle, Gillette, Humason, Haines, Mallory, Minto, Moores, McCoy, Ramsby,

Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilcox, Wilson, Watson, Mr. Speaker—23.

The amendment did not prevail.

Mr. Moores moved that the main question be now put.
Which was lost.

Call of the House was here made.

By leave of the House, the Hon. Judge Deady made a statement of the time, labor and cost of preparing the Code.

The question then being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Messrs. Collard, Fay, McCully, Wilkins—4.

So the bill passed.

S. B. No. 45: An Act to provide for the publication of laws and journals of this session of the Legislature.

Was read third time.

The bill being upon its final passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Gillette, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—27.

Nays—None.

So the bill passed.

S. B. No. 42: An Act supplemental to an Act to provide a code for civil procedure.

Was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—27.

Nays—None.

So the bill passed.

S. B. No. 33: An Act relating to escheats.

Was read third time.

The question being, shall the bill pass? resulted as follows:

Yeas—Messrs. Applegate, Collard, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCoy, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—24.

Nays—None.

So the bill passed.

S. B. No. 30: An Act in relation to slaughter houses.

Was read third time.

Mr. Humason moved to indefinitely postpone.

Which was lost.

Mr. Simpson offered an amendment.

Which was adopted.

Mr. Minto offered an amendment.

Which was lost.

Mr. Hemenway offered an amendment.

Which was lost.

Mr. Moores offered an amendment to the title.

Which was adopted.

The question being upon the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Collard, Engle, Humason, Haines, Hemenway, Kerns, Minto, Moores, McCoy, Richardson, Reed,

Smith, Simpson, Van Dyke, Witham, Wilcox, Watson, Mr. Speaker—19.

Nays—Messrs. Blair, Dufur, Gillette, Ramsby, Wasserman, Wilkins—6.

So the bill passed.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that S. B. No. 33, herewith transmitted, is considered enrolled, on motion, and sent for your signature.

S. A. CLARK, *Chief Clerk*.

The Speaker announced that he had signed S. B. No. 33.

S. B. No. 34: To locate the Agricultural College.
Was taken up.

On motion of Mr. Gillette, the bill was laid on the table.

S. B. No. 37: Relating to the seat of government.
Was taken up.

Mr. ——— moved to lay the bill on the table.

Which was lost.

Mr. Engle moved to indefinitely postpone the bill.

Mr. Collard moved to adjourn.

Which was not agreed to.

The question recurring on the motion to indefinitely postpone.

Was lost.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Cummins, Mallory, Stevenson, Simpson, Witham, Wilson.

S. B. No. 37: Relating to seat of government.

Was read third time.

The bill being upon its passage, resulted as follows:

II. J.—33

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Fay, Gillette, Hemenway, Kerns, McClure, McCully, McCoy, Ramsby, Smith, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—22.

Nays—Messrs. Blair, Engle, Humason, Haines, Minto, Moores, Richardson, Reed—8.

So the bill passed.

S. B. No. 28: To provide for the sale of property under execution.

Was read third time.

On motion, the last section was stricken out.

The question being on the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Engle, Fay, Haines, Hemenway, Kerns, McClure, Minto, Richardson, Smith, Stevenson, Van Dyke, Wilson, Mr. Speaker—17.

Nays—Messrs. Dufur, Humason, Moores, McCully, McCoy, Ramsby, Reed, Wasserman, Witham, Watson—10.

There not being a majority of all the members of the House, the bill did not pass.

Mr. Fay moved to reconsider the vote on the passage of the bill.

Which was agreed to.

The question then being on the passage of the bill.

Mr. Fay moved a call of the House.

Which was agreed to.

Absent—Messrs. Simpson, Wilcox.

On motion, the further call of the House was dispensed with.

The question recurring on the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Engle, Fay, Gillette, Haines, Hemenway, Kerns, McClure, Minto, Ramsby, Richardson, Smith, Stevenson, Van Dyke, Wilson, Mr. Speaker—19.

Nays—Messrs. Blair, Dufur, Humason, Mallory, Moores, McCully, McCoy, Reed, Wasserman, Wilkins, Witham, Watson—12.

So the bill passed.

Mr. Fay, Chairman of the Special Committee to whom was referred that part of Governor Whiteaker's Message, relating to the Oregon cavalry raised by order of General Wright, reported as follows :

To the Honorable the House of Representatives :

The Select Committee to whom was referred that part of Ex-Governor Whiteaker's Message relating to the company of cavalry ordered to be raised under the call of Col. George Wright, U. S. A., commanding the Department of the Pacific, dated September 12, 1861, beg leave to submit the following report :

Your Committee believe from an investigation of the documents accompanying the Message of the Governor relating to this subject, that it was the understanding of the officer making the requisition for volunteers and also of the Governor, [see letter of Col. Wright of September 12, 1861, to Governor Whiteaker, and proclamation of Governor of September 16, 1861,] that the company for which this requisition was made should be organized for the U. S. service, and should serve three years unless sooner discharged. This company could not be considered a part of the militia of the State, and your Committee believe that the State should not be made responsible for the debts contracted in organizing said company.

Your Committee would therefore recommend that no further action be had upon the subject referred to them. We would suggest that the claimants apply to the proper Quartermaster of the U. S. A. for payment.

JAMES D. FAY, *Chairman.*

HOUSE REPRESENTATIVES, October 13, 1862.

On motion, the report was adopted.

Mr. Minto moved to take from the table S. B. No. 34.

The motion was lost.

S. B. No. 57 : For the relief of Wasco county.

The bill was read third time and passed as follows :

Yeas—Messrs. Blair, Brown, Collard, Humason, Haines, Kerns, Minto, Moores, McCoy, Ramsby, Richardson, Reed, Smith, Simpson, Stevenson, Van Dyke, Wasserman, Wilson, Mr. Speaker—19.

Nays—Messrs. Applegate, Conyers, Dufur, Engle, Fay, Gillette, McClure, McCully, Wilkins, Witham, Wilson—11.

So the bill passed.

S. B. No. 43: To fix the time and place of holding the Supreme Court.

Was read third time

On motion of Mr. Stevenson, the last section was stricken out.

The question being on the final passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—29.

Nays—Messrs. Dufur, Wasserman—2.

So the bill passed.

H. B. No. 112: To provide for a Board of County Commissioners for Polk county.

Mr. Simpson moved to amend, by striking out "six hundred" and insert "four hundred."

Mr. Richardson moved to amend the amendment, by inserting "five hundred."

Which was agreed to.

The question then being on the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Engle, Humason, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Mr. Blair—1.

Mr Simpson, Chairman of the Special Committee to whom was referred H. B. No. 46, made the following report:

MR. SPEAKER: The committee to whom was referred H. B. No. 46, have had the subject under consideration, and ask leave to report the bill back to the House, and recommend that the amendments adopted by the Senate be concurred in.

B. SIMPSON, *Chairman.*

On motion, the House concurred in the Senate amendments.

The following message was received from the Senate:

MR. SPEAKER: I am instructed by the President of the Senate to inform you that the Senate has passed the following bills:

H. B. No. 64: An Act to organize the militia.

H. B. No. 72: An Act relating to common schools, with amendments.

Which are herewith transmitted for concurrence and enrollment.

S. A. CLARK, *Chief Clerk.*

Mr. Applegate offered a joint resolution, asking General Wright to station another company of soldiers at Fort Baker, Jackson county, Oregon.

On motion, the resolution was adopted, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Engle, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Wilcox, Witham, Watson, Mr. Speaker—29.

Nays—None.

The time having arrived to go into Joint Convention, for the purpose of electing three Pilot Commissioners, a State Librarian and others, the President and members of the Senate were announced as in attendance, whereupon the Convention was called to order by the President.

JOINT CONVENTION.

Absent—Messrs. Curl, Holton, McBride, Cummins.

The Convention proceeded to the election of three Pilot Commissioners.

Mr. Gillette put in nomination, Mr. F. Ketchum.

Mr. ——— put in nomination, Mr. Couch.

Mr. Conyers put in nomination, Mr. Taylor.

Mr. Humason put in nomination, Mr. McCracken.

The following members voted for Frederick Ketchum :

Messrs. Ballard, Chrisman, Drew, Fitzhugh, Greenwood, Hovey, Munroe, Mitchell, Taylor, Wagner, Applegate, Blair, Brown, Collard, Conyers, Dufur, Fay, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Smith, Van Dyke, Stevenson, Simpson, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker, Mr. President—41.

The following members voted for H. Couch :

Messrs. Ballard, Chrisman, Drew, Fitzhugh, Greenwood, Grim, Hovey, Kelly, Munroe, Mitchell, Taylor, Wagner, Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Fay, Gillette, Haines, Curl, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker, Mr. President—44.

The following members voted for James Taylor :

Messrs. Ballard, Chrisman, Curl, Greenwood, Hovey, Grim, Kelly, Mitchell, Taylor, Wagner, Applegate, Blair, Brown, Collard, Dufur, Engle, Fay, Gillette, Humason,

Haines, Hemenway, Kerns, McClure, Minto, McCoy, Ramsby, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Witham, Wilson, Watson, Mr. Speaker, Mr. President—38.

The following members voted for John McCracken :

Messrs. Curl, Drew, Fitzhugh, Grim, Kelly, Munroe, Collard, Engle, Humason, Hemenway, Mallory, Moores, McCoy, Richardson, Reed, Simpson, Wilcox—17.

Messrs. Frederick Ketchum, James Couch and James Taylor, having received a majority of all the votes cast, were declared duly elected Pilot Commissioners for pilotage on Columbia and Willamette rivers.

The House put in nomination for State Librarian, Mr. P. S. Knight.

The following members voted for Mr. Knight :

Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, Mallory, McClure, Minto, Moores, McCully, McCoy, Richardson, Ramsby, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Ballard, Chrisman, Curl, Drew, Fitzhugh, Greenwood, Grim, Hovey, Kelly, Munroe, Mitchell, Taylor, Wagner, Mr. Speaker, Mr. President—46.

Whereupon, Mr. Knight was declared duly elected State Librarian for the ensuing two years.

The Convention then proceeded to the election of three Commissioners, whose duty it shall be to receive any propositions, suggestions, or donations that might be offered in relation to the creation of asylum or asylums for the insane and idiotic.

Whereupon, Messrs. A. C. Gibbs, Jesse Applegate and Dr. Loryea, were duly elected said Board of Commissioners.

On motion, the Convention then adjourned *sine die*.

The following message was received from the Senate :

MR. SPEAKER: I am instructed to inform you that the Senate has passed

S. B. No. 46.

Which is sent for consideration of House.

H. B. No. 49.

H. B. No. 109.

With certain amendments, which are submitted for your consideration.

The Senate has also passed

H. B. No. 56.

H. B. No. 108.

H. B. No. 97.

Which are herewith returned for enrollment.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate :

MR. SPEAKER: I am instructed to forward the accompanying S. J. R's for your signature, they having been reported correctly enrolled :

S. J. R. No. 9.

S. J. R. No. 15.

S. J. R. No. 16.

S. J. R. No. 17.

Also, the following Senate bill :

S. B. No. 25.

The Senate has also passed

H. B. No. 98.

Which is returned for enrollment.

S. A. CLARK, *Chief Clerk.*

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. B. No. 16, apportioning the State, which is herewith sent for the consideration of the House.

Also, the Senate has concurred in all but the second amendment to S. B. No. 30, changing distance from "twenty rods" to "ten rods," which is also returned for further consideration.

S. A. CLARK, *Chief Clerk.*

The Speaker announced that he had signed the following S. J. R's:

- S. J. R. No. 9.
- S. J. R. No. 15.
- S. J. R. No. 16.
- S. J. R. No. 17.

Also, that he had signed the following S. B.:

- S. B. No. 25.

Also, that he had signed the following H. B's:

- H. B. No. 64: An Act to organize the militia.
- H. B. No. 77: An Act relating to elections.
- H. B. No. 90: An Act to incorporate the city of Albany.
- H. B. No. 91: An Act to consolidate the counties of Umpqua and Douglas.
- H. B. No. 82: An Act to protect Fair Grounds.
- H. B. No. 66: An Act to amend an Act, entitled "An Act, to regulate roads and highways."
- H. B. No. 59: An Act to prevent usury and regulate the rates of interest.
- H. B. No. 37: An Act to regulate the rights of miners and farmers in mining districts.

- H. B. No. 17: An Act for the relief of B. F. Bonham.

On motion, the House concurred in Senate amendment to H. B. No. 109, an Act to increase the revenue of the State.

- S. B. No. 16: An Act reapportioning the Legislative and Senatorial Districts.

Was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Dufur, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Mr. Speaker—27.

Nays—Messrs. Fay, Gillette—2.

So the bill was read second time by title.

Mr. Blair moved to strike out "two," opposite Baker county, in section four, and insert "one."

Which was adopted.

H. J.—34

Mr. Wasserman offered an amendment to section two. Which was lost.

Mr. Collard moved to strike out "two," in reference to Clackamas county, in section four, and insert "three."

Which was adopted.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Collard, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—None.

So the bill was read third time.

The question being on the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, Ramsby, Richardson, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Wilson, Watson, Mr. Speaker—28.

Nays—Mr. Gillette—1.

So the bill passed.

S. B. No. 46: To provide for the recovery of property lost by high water.

Which was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Van Dyke, Wasserman, Witham, Wilcox, Wilson, Mr. Speaker—24.

Nays—None.

So the bill was read second time by title.

On motion, the rules were further suspended, as follows:

Yeas—Messrs. Brown, Collard, Conyers, Dufur, Engle, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Watson, Mr. Speaker—24.

Nays—None.

So the bill was read third time.

On motion, section five was struck out.

The question being upon the passage of the bill, resulted as follows :

Yeas—Messrs. Applegate, Brown, Collard, Conyers, Dufur, Engle, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, Ramsby, Richardson, Reed, Smith, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—25.

Nays—None.

So the bill passed.

On motion, the House concurred in Senate amendments to H. B. No. 49, an Act to regulate the salaries of County Judges.

On motion, the House receded from its amendment to S. B. No. 30, an Act relating to slaughter houses.

On motion, the House adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Absent—Messrs. Blair, Cummins, Mallory.

On motion, S. B. No. 34, an Act to locate the Agricultural College, was taken from the table.

Mr. Minto offered a substitute to sections one and two.

Which was adopted.

Mr. Moores moved to strike out all of the preamble after the words "said State," where it occurs the second time.

Which was adopted.

The bill being upon its passage, resulted as follows :

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Humason, Fay, Haines, Hemenway, McClure, Minto,

Moore, McCully, McCoy, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—26.

Nays—Messrs. Kerns, Ramsby, Richardson, Wilson—4.

So the bill passed.

Mr. Simpson, Chairman of committee to whom was referred H. B. No. 102, an Act for the relief of Matheny & Wright, reported the same back to the House and recommended its passage.

H. B. No. 112.

Was read second time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Haines, Kerns, McClure, McCoy, Ramsby, Richardson, Reed, Smith, Stevenson, Van Dyke, Wasserman, Wilkins, Minto, Moores, McCully, Witham, Watson, Mr. Speaker—25.

Nays—Messrs. Fay, Humason, Hemenway, Wilcox—4.

The bill being upon its passage, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Conyers, Engle, Haines, McClure, Minto, Moores, McCully, McCoy, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Watson, Mr. Speaker—21.

Nays—Messrs. Collard, Dufur, Fay, Humason, Hemenway, Kerns, Ramsby, Wilcox—8.

So the bill passed.

The following message was received from the Governor:

EXECUTIVE OFFICE, October 16, 1862.

Gentlemen of the House of Representatives:

I have approved and signed the following H. B's:

* H. B. No. 17: For the relief of B. F. Bonham.

H. B. No. 82: A bill to protect Fair Grounds.

H. B. No. 77: A bill to amend an Act, entitled "An Act, relating to elections."

H. B. No. 59: A bill to regulate the rate of interest on money, and to prevent and punish usury.

H. B. No. 91: A bill to consolidate the counties of Douglas and Umpqua.

H. B. No. 65: A bill relating to Assessors.

H. B. No. 37: A bill to regulate the rights of miners and farmers in mining districts.

H. B. No. 90: A bill to incorporate the city of Albany

H. B. No. 64: A bill to organize the militia.

ADDISON C. GIBBS, *Governor of Oregon.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following S. B.:

S. B. No. 36: Relative to Penitentiary.

Also, the following H. B's:

H. B. No. 95: Relative to Corvallis.

H. B. No. 94: To incorporate Eugene City.

H. B. No. 73: Civil debt of Provisional Government.

H. B. No. 110: Expenditures of State.

H. B. No. 109: To increase revenue.

H. B. No. 115: Relating to Multnomah county.

H. B. No. 107: Clackamas River Bridge Company.

Also, House memorial in relation to surveys east of mountains, and have failed to pass H. B. No. 88.

All of which are herewith transmitted.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the following bills are reported truly enrolled, and are transmitted for your signature:

S. B. No. 15.

S. B. No. 27.

S. B. No. 32.

S. B. No. 38.

S. B. No. 46.

S. B. No. 45.

S. B. No. 42.

S. B. No. 28.

S. B. No. 29.

S. A. CLARK, *Chief Clerk.*

The Speaker announced that he had signed the following H. J. R's:

- H. J. R. No. 1.
- H. J. R. No. 2.
- H. J. R. No. 3.
- H. J. R. No. 4.
- H. J. R. No. 6.
- H. J. R. No. 7.
- H. J. R. No. 8.
- H. J. R. No. 9.
- H. J. R. No. 10.
- H. J. R. No. 11.
- H. J. R. No. 12.
- H. J. R. No. 13.

S. B. No. 36: An Act to regulate the Penitentiary of Oregon.

The bill was read first time.

On motion, the rules were suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Dufur, Engle, Humason, Hemenway, Kerns, McClure, Minto, McCully, Moores, McCoy, Richardson, Reed, Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—25.

Nays—Messrs. Fay, Wilcox—2.

So the bill was read second time by title.

On motion of Mr. Moores, the words "State Auditor" were stricken out and "Secretary of State" inserted in lieu thereof.

Mr. Simpson offered to amend by adding section ten.

The amendment was adopted.

Mr. Reed offered an amendment to section ten, as offered by Mr. Simpson.

The amendment was adopted.

On motion, the rules were further suspended, as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Conyers, Engle, Humason, Haines, McClure, Minto, Moores, McCully, McCoy, Ramsby, Reed, Smith, Van Dyke, Wilkins, Wilcox, Watson, Mr. Speaker—21.

Nays—Messrs. Dufur, Fay, Hemenway, Kerns, Richardson, Wasserman, Witham, Wilson—8.

So the bill was read third time.

Mr. Reed moved to reconsider the vote upon the adoption of the section offered by Mr. Reed.

Which was carried.

The question being upon the adoption of the section.

Was lost.

The question upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Brown, Collard, Dufur, Engle, Gillette, Humason, Haines, Hemenway, Kerns, McClure, Minto, Moores, McCully, McCoy, Ramsby, Richardson, Reed Smith, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Watson, Mr. Speaker—26.

Nays—Messrs. Blair, Fay, Wilson—3.

The Speaker announced that he had signed the following S. B's:

S. B. No. 46.

S. B. No. 32.

S. B. No. 38.

S. B. No. 27.

S. B. No. 15.

S. B. No. 29.

S. B. No. 28.

S. B. No. 42.

S. B. No. 45.

Also, the following H. B.:

H. B. No. 72: An Act relating to common schools.

On motion, the House resolved itself into a Committee of the Whole.

Mr. Fay in the Chair.

After some time spent therein, the committee arose and made the following report:

MR. SPEAKER: The Committee of the Whole have had under consideration H. B. No. 78, an Act to prevent the

immigration of negroes and mulattoes into the State, and report the same back to the House without recommendation.

Also, S. B. No. 40, an Act for the relief of Hayes, Barnet and Clarke, report the same back to the House, and recommend that it be indefinitely postponed.

Mr. Gillette moved to indefinitely postpone H. B. No. 78.
Which was lost.

Mr. McCully moved to fill the blank in section seven, by inserting \$500.

Which was lost.

Mr. Moores moved to fill the blank with \$100.

Which was adopted.

Mr. McCully moved to fill the second blank by inserting \$25.

The motion was lost.

Mr. Hemenway moved to fill the blank by inserting \$10.

The motion was adopted.

Mr. Wasserman moved to strike out sections four, five and six.

The motion was lost.

Mr. Moores moved to strike out section six.

The motion was lost.

Mr. Wilcox moved to indefinitely postpone.

The motion was lost.

On motion, the blank in section eight was filled by inserting \$200.

The question being upon the passage of the bill, resulted as follows:

Yeas—Messrs. Applegate, Blair, Brown, Collard, Dufur, Fay, Humason, Haines, Hemenway, Kerns, Minto, Moores, McCully, Smith, Stevenson, Wilkins—16.

Nays—Messrs. Conyers, Engle, Gillette, McCoy, Reed, Simpson, Van Dyke, Wasserman, Witham, Wilcox, Wilson, Watson, McClure, Mr. Speaker—14.

So the bill was lost.

On motion, S. B. No. 40, an Act for the relief of Hayes, Barnet and Clarke, was indefinitely postponed.

The following message was received from the Senate.

MR. SPEAKER: I am instructed to transmit for your signature the following S. B's, which are reported truly enrolled:

S. B. No. 30.

S. B. No. 46.

S. B. No. 17.

S. B. No. 37.

S. B. No. 28.

S. A. CLARK, *Chief Clerk.*

On motion, the House adjourned.

FRIDAY, OCTOBER 17, 1862.

Absent—Messrs. Applegate, Conyers, Cummins, Gillette, Humason, Haines, Mallory, McCoy, Richardson, Wilson.

On motion, the journal of yesterday was referred to a Committee of three, consisting of Messrs. Kerns, Fay, McCully.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following bills:

H. B. No. 106: Relative to travel on public roads.

H. B. No. 93: Relative to telegraph lines.

Which are herewith returned.

Also, S. J. R. No. 18: To appoint committee to inform the Governor of adjournment.

Which is sent for your consideration.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

H. J.—35

. . .

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following bills:

- H. B. No. 74: Relative to Jacksonville.
- H. B. No. 81: Marion county Board of Auditors.
- H. B. No. 92: Mining claims, ditches and flumes.
- H. B. No. 114: City of Portland charter.
- H. B. No. 112: Polk county County Commissioners.
- H. B. No. 87: Chinamen miners.
- H. B. No. 101: Portland Fire Department.
- H. B. No. 111: Samaritan Lodge.
- H. B. No. 100: Relating to wharves.

Also, H. J. R. No. 15: Memorial to General Wright.
H. J. R. No. 13: To secure light house.

Which are herewith returned for enrollment.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has failed to pass the following bills:

- H. B. No. 113: Relief of H. L. Pittock.
- H. B. No. 70: Relief of Waller and Geer.
- H. B. No. 76: Relative to legal tender notes.

And have indefinitely postponed H. B. No. 102, relative to oath of office.

And have failed to concur in House amendments to S. B. No. 43, relative to Supreme Court.

All of which are herewith transmitted.

S. A. CLARK, *Chief Clerk.*

On motion, the House recessed from the House amendment to S. B. No. 43, relative to Supreme Court.

S. J. R. No. 18: Relative to appointing a Joint Committee to wait upon the Governor, and inform him that the Legislature would be ready to adjourn at 3 o'clock, P. M., to-day.

Was taken up.

The question being on the passage of the resolution, resulted as follows:

Yeas—Messrs. Blair, Brown, Collard, Dufur, Engle, Hemenway, McClure, Minto, Moores, McCully, Richardson, Reed,

Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—21.

Nays—Messrs. Kerns, Fay—2.

So the resolution was adopted.

The Speaker appointed on that committee, Messrs. Wilcox, Van Dyke.

Mr. Moores offered the following resolution :

Resolved, That the thanks of the House of Representatives be, and are hereby, tendered to the Hon. Joel Palmer, for the able and impartial manner in which he has presided over its deliberations ; and, also, to the Chief Clerk, Assistant Clerk, and officers, for the able and faithful manner in which they have performed their respective duties during the present session.

On motion, the resolution was unanimously adopted, by a rising vote.

Mr. Reed offered a joint resolution tendering thanks to General Alvord and Captain Spencer, for their assistance during this session.

On motion, the resolution was adopted, as follows :

Yeas—Messrs. Blair, Dufur, Engle, Hemenway, Kerns, McClure, Minto, Moores, McCully, Richardson, Reed, Stevenson, Simpson, Van Dyke, Wilkins, Witham, Wilcox, Watson, Mr. Speaker—19.

Nays—Messrs. Brown, Collard, Fay, Smith, Wasserman—5.

Mr. Richardson, Chairman of Committee on Education, made the following report, which was adopted :

MR. SPEAKER: The Standing Committee on Education would represent that they have no adequate means of knowing the exact state of the common schools of this State, but have sufficient reasons to believe that they are not in the most prosperous condition.

While our Legislators seem anxious to provide by Legislative enactments for the punishment of crimes, they seem to forget that ignorance is the parent of most of the vices that afflict our race, and appear not to act on the principle, that "an ounce of preventive is worth a pound of cure." It is doubtful whether a Republican form of government

can long exist without the education, moralization and refinement of the masses.

The present school law will be found to be an improvement on the past, and for the present will, we trust, in the main, be found sufficient for the wants of the people of our fast rising State. Under the provisions of H. B. No. 72, which is to be, if approved by the Governor, the law governing schools for the next two years, provides for the employment of competent teachers, of good moral character and loyal to our Government. All of which will greatly tend to promote the best interest of common schools. And, as our population increases, we hope those whose duty it is to legislate on this subject, will not fail to improve on the present system of common schools until ours will compare favorably with those of the Eastern States, which is fast becoming the admiration of the world.

Your committee would further represent, that owing to the present laws regulating the sale of school lands, much of said lands in some counties remains unsold. We would suggest the propriety of the Legislature at its earliest convenience, passing a law providing for the disposal of school lands at private sale, under the direction of the County Courts.

G. W. RICHARDSON, *Chairman.*

The following message was received from the Senate :

MR. SPEAKER: I am instructed to inform you that the President has signed the following bills:

H. B. No. 108:

H. B. No. 49:

H. B. No. 98:

H. B. No. 56:

H. B. No. 46:

H. B. No. 72:

Are herewith returned.

S. A. CLARK, *Chief Clerk.*

The Speaker announced that he had signed the following bills:

H. B. No. 97.

H. B. No. 109.

H. B. No. 95.

H. B. No. 110.

H. B. No. 73.

H. B. No. 45.

H. B. No. 107.

On motion, H. B. No. 66, to regulate roads, was taken from the table.

On motion, the bill was amended, and the question being on the passage of the bill, resulted or follows:

Yeas—Messrs. Dufur, Engle, Fay, Hemenway, Minto, Richardson, Reed, Smith, Stevenson, Simpson, Van Dyke, Wasserman, Wilkins, Watson, Mr. Speaker—15.

Nays—Messrs. Blair, Collard, Haines, McClure, McCully, Ramsby, Witham, Wilcox—8.

There not being a majority of all the members of the House, the bill was declared lost.

The following message was received from the Senate:

MR. SPEAKER: The Senate has passed H. B. No. 50, university lands, with amendments, and the same is returned for your further consideration.

S. A. CLARK, *Chief Clerk*.

Mr. Kerns was called to the Chair as Speaker *pro tem*.

Mr. Palmer moved to concur in the Senate amendment to H. B. No. 50, relative to the sale of university lands at Oregon City.

Which was agreed to.

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the President has signed the following H. B's:

H. B. No. 107.

H. B. No. 45.

H. B. No. 97.

H. B. No. 109.

H. B. No. 13.

H. B. No. 110.

H. B. No. 95.

Which are herewith returned.

S. A. CLARK, *Chief Clerk*.

The following message was received from the Senate:

H. J.—36.

MR. SPEAKER: I am instructed to inform you that the Senate has passed the following resolution and bill:

H. J. R. No. 15.

H. B. No. 103.

And the Senate have failed to pass H. B. No. 99.

All of which are herewith returned.

S. A. CLARK, *Chief Clerk.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to send for your signature, the following, the same being reported truly enrolled:

S. J. R. No. 18.

S. B. No. 34.

S. B. No. 43.

S. A. CLARK, *Chief Clerk.*

On motion, the House concurred in the Senate amendments to H. B. No. 101, regulating Fire Department at Portland.

The committee to whom was referred the journal of yesterday, reported the same back as correct.

The Speaker announced that he had signed the following bills:

H. B. No. 114.

H. B. No. 100.

H. B. No. 94.

H. B. No. 81.

H. B. No. 92.

H. B. No. 112.

H. B. No. 106.

H. B. No. 103.

H. B. No. 87.

H. B. No. 74.

H. B. No. 111.

H. B. No. 101.

On motion, the House took a recess of twenty-five minutes.

After which, the House was called to order by the Speaker.

On motion, the House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Absent—Messrs. Applegate, Conyers, Cummins, Gillette, Humason, Mallory, Minto, McCoy, Simpson, Van Dyke, Wasserman, Wilcox.

Mr. Moores offered a joint resolution to suspend S. J. R. No. 7, relating to the introduction of bills after the 14th instant.

Which was indefinitely postponed.

On motion, a call of the House was ordered.

Absent—Messrs. Applegate, Conyers, Cummins, Fay, Gillette, Humason, Mallory, McCoy, Stevenson, Simpson, Van Dyke, Wasserman, Wilcox.

The Sergeant-at-Arms announced as present, Messrs. Simpson, Stevenson, Fay, Van Dyke.

On motion, a further call of the House was dispensed with.

The following communication was received from the Senate :

MR. SPEAKER: I am instructed to transmit the following for your signature, the same being truly enrolled :

S. B. No. 16.

S. B. No. 36.

S. J. R. No. 1.

S. A. CLARK, *Chief Clerk.*

The Speaker announced that he had signed the following bills and resolution :

S. B. No. 16.

S. B. No. 36.

S. J. R. No. 1.

H. B. No. 50.

The following message was received from his Excellency the Governor:

EXECUTIVE OFFICE, }
SALEM, OREGON, October 17, 1862. }

To Speaker of the House of Representatives:

I have approved and signed the following bills:

H. B. No. 107: An Act incorporating the Clackamas River Bridge Company.

H. B. No. 97: An Act to provide for the time of holding Circuit and County Courts.

H. B. No. 45: An Act to amend an Act to create the county of Multnomah.

H. B. No. 110: An Act to provide for the ordinary expenses of the State Government.

H. B. No. 73: An Act to provide for auditing the civil debt of the Provisional Government.

H. B. No. 95: An Act to extend the corporate limits of Corvallis.

H. B. No. 109: An Act to increase the revenue of the State.

H. B. No. 108: An Act to amend an Act to regulate the Treasury Department.

H. B. No. 49: An Act to regulate the salaries of County Judges.

H. B. No. 56: An Act to provide for the inspection of salmon, and for the appointment of an inspector.

H. B. No. 98: An Act to provide for the adjudication and payment of claims against the late Territorial Government of Oregon.

H. B. No. 46: An Act to provide for building bridges.

H. B. No. 72: An Act relating to common schools.

ADDISON C. GIBBS, *Governor of Oregon.*

The following message was received from the Senate:

MR. SPEAKER: I am instructed to inform you that the Senate has passed S. J. R. No. 18, a memorial to General Wright, which is sent for your consideration.

S. A. CLARK, *Chief Clerk.*

On motion, S. J. R. No. 18 was adopted, as follows:

Yeas—Messrs. Blair, Brown, Collard, Dufur, Engle, Fay, Haines, Kerns, McClure, Minto, Moores, McCully, Ramsby, Reed,

Richardson, Smith, Stevenson, Simpson, Van Dyke, Witham, Wilson, Watson, Mr. Speaker—23.

Nays—Mr. Hemenway—1.

So the resolution passed.

Mr. Fay entered the following protest:

The undersigned, a member of the House of Representatives, from the county of Josephine, hereby protests against the passage by the House, of Senate bill, number twenty-five, entitled "An Act requiring the oath of allegiance in certain cases," for the following reasons, to-wit:

1. Because test oaths of the character prescribed in said Act, are contrary to the genius of our institutions; betray a distrust of, and are an insult to, the patriotism of the people, and are liable to be used in the accomplishment of political and partisan ends.

2. Because the oath prescribed in section first of said Act, has a tendency to restrain the exercise of the right of free speech. And, because the oath to support the Constitution includes the form of government existing under it; therefore, the word "government" following the word "constitution" in the form of the oath—instead of the word "laws," the usual form—is liable to create confusion, regarding the efficacy and obligations of the oaths, in the minds of persons taking and officers administering the same. The word "government" may be construed to mean the peculiar political tenets of an existing Administration, and under this construction, an affiant might be compelled to swear in advance to support the policy of the party in power, although in political sentiment he honestly differs with it.

3. Because the sentence "I will well and faithfully perform the duties which may be required of me by law," if not mere verbiage, is open to the same objection on account of ambiguity and tendency to confusion, set forth above.

4. Because the operation of section three of said Act, will prove injurious and oppressive to plaintiffs in actions at law, who reside at a distance from the place where suit is brought, inasmuch as defendants have it absolutely in their power to delay the prosecution of just demands in the courts of law, upon bare suggestion of the plaintiff's disloyalty, based upon the prejudiced affidavits of personal and political enemies.

JAMES D. FAY.

HOUSE OF REPRESENTATIVES, SALEM, Oct. 17, 1862.

The following communication was received from his Excellency the Governor:

EXECUTIVE OFFICE, }
SALEM, OREGON, October 17, 1862. }

To Speaker House of Representatives:

I have approved and signed the following bills:

H. B. No. 114: An Act to amend an Act to incorporate the city of Portland.

H. B. No. 111: An Act to amend an Act to incorporate Samaritan Lodge No. 2, I. O. O. F., at the city of Portland.

H. B. No. 112: An Act to provide for a Board of County Commissioners for Polk county.

H. B. No. 100: A bill to authorize the owners of land lying upon a navigable stream, or other like water, to build wharves into such streams, or other water, beyond low water mark.

H. B. No. 87: An Act to protect Chinamen mining in Oregon.

H. B. No. 94: An Act to incorporate Eugene City.

H. B. No. 101: An Act supplemental to an Act to regulate the Fire Department of the city of Portland.

H. B. No. 93: An Act to authorize the construction of telegraph lines, to provide for the regulation of the same, and to secure secrecy and fidelity in the transmission of telegraphic messages.

H. B. No. 74: An Act to amend the corporation of Jacksonville.

H. B. No. 106: An Act regulating traveling on roads and highways.

H. B. No. 103: An Act for the relief of Matheny & Wright.

H. B. No. 50: An Act to provide for the sale and disposition of the land donated to the Territory of Oregon, for the establishment and endowment of a University, and known as the Oregon City Claim.

ADDISON C. GIBBS, *Governor of Oregon.*

The following communication was received from the Senate:

MR. SPEAKER: The Senate has passed H. B. No. 70, relief of Waller and Geer, which is returned.

S. A. CLARK, *Chief Clerk.*

On motion of Mr. Simpson, the House adjourned *sine die*.

I hereby certify that the foregoing is a true and correct journal of the proceedings of the House of Representatives, as read and approved from day to day, at the regular session of the Legislative Assembly, commenced September 8th, and ending October 17, 1862.

Attest: S. T. CHURCH,
Chief Clerk of House of Representatives.

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